



1889.

PROCEEDINGS

OF THE

Municipal Council

OF THE

COUNTY OF WELLAND.

---

DECEMBER SESSION.

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T. L. STONE, ESQ., - WARDEN.

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WELLAND:

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W. T. SAWLE & Co., PRINTERS, TELEGRAPH OFFICE.



1889.

PROCEEDINGS  
OF THE  
MUNICIPAL COUNCIL  
OF THE  
COUNTY OF WELLAND.

DECEMBER SESSION.

FIRST DAY.

WELLAND, Dec. 3, 1889.

By direction of the Warden the Council met in Grand Jury Council met.  
room on Tuesday, Dec. 3rd, at 2 o'clock p.m., for general business.

Members present :—Messrs. Barnhard, Brown, Burgar, Cruik-  
shank, Disher, Emmett, Henderson, Hobson, Jones, Kraft, Macklem,  
Miller, Morris, Neff, Ramsden, Roland, Shrimpton, Shriner, Turner,  
J. Wilson, H. N. Willson, and Williams.

Members pre-  
sent.

The Warden remarked that he had called the Council together  
at an early date as possible, more particularly to consider the heating  
of the new buildings, as no provisions had been made when contract  
was let. Several reports would be presented which he trusted would

Business be-  
fore the session



receive the best consideration of Council, and the work of the Session completed at as early a date as possible, and concluded by presenting—

**Communications.**

A communication from L. M. McCallum, *re* Railway Act.

Also from Charles Chamberlain, *re* non-standard stallions.

Also from County of Huron, *re* sleighs.

Also from Town of Niagara Falls.

Also from Department of Railways & Canals.

Also from County of Simcoe, *re* Railway Act.

Also from Mr. Lent.

Moved by Mr. Hobson, seconded by Mr. Turner, that the communication of Mr. Chamberlain, *re* standard stallions, be referred to a Committee composed of Messrs. Morris, Ramsden, and Emmett, to report thereon.—Carried.

**Hours of meeting.**

Moved by Mr. Macklem, seconded by Mr. Cruikshank that the hours of meeting and adjournment during the present session be fixed as follows :—meet at 8 a.m. adjourn at 12 m., meet again at 1 p.m. and adjourn again at 6 p.m.—Carried.

**Report of committee on Niagara Falls Award.**

The Warden presented report of Committee on Niagara Falls Award which was read to Council.

Moved by Mr. Cruikshank, seconded by Mr. Macklem, that the report of the Committee in the matter of the annual settlement with the Town of Niagara Falls just read be adopted.—Carried.

**Treasurer's statement.**

Moved by Mr. Cruikshank, seconded by Mr. Bugar, that the Treasurer of this County be required, as soon as may be practicable during the present session, to lay a statement before this Council shewing the amount of cash on hand at date, the amount due the Imperial Bank on the last day of each month since May 1889, and the amount of interest paid since the last report.—Carried.

**Committee appointed on Senator McCallum's communication.**

Moved by Mr. Ramsden seconded by Mr. Turner, that the communication from Senator McCallum, of Stromness, relating to a proposed Act to amend the Railway Act, *re* maintenance and repairing all drains, ditches and water courses in and for lands belonging to or held by such railway, be referred to a committee composed of the

following named gentlemen viz :—Messrs. Macklem, Cruikshank, Brown, Barnhard and Hobson, with instructions to report thereon during the present session.—Carried.

Moved by Mr. Hobson seconded by Mr. Morris, that the communication of the County Council of the County of Huron, as to an uniform width of sleigh runners, be referred to a committee composed of Messrs. Jones, Barnhard and Turner, with instructions to report at this session ;

Committee 'on  
Co. of Huron  
communica-  
tion.

And that the following named gentlemen compose a committee to report upon the memorial *re* the appointment of an independent body to stand between the public and the railways, forwarded to this Council by Clerk of the County of Simcoe, viz :—Messrs. Cruikshank, Henderson, Krafft, Brown and Bugar.—Carried.

Committee on  
Co. of Simcoe  
communica-  
tion.

The Warden presented report of Special Committee *re* pollution of Niagara River, which was read to Council.

Moved by Mr. Cruikshank, seconded by Mr. Miller, that the report of Special Committee in *re* pollution of Niagara River just read be adopted.—Carried.

Report of com-  
mittee on pol-  
lution of Nia-  
gara River.

Moved by Mr Ramsden, seconded by Mr. Miller, that the Warden do issue his cheque on the Treasurer in favor of Philip Zavitz, for the sum of \$3.43, for plank and repairing a bridge on the Town Line between Humberstone and Bertie.—Carried.

An account  
passed.

The hour of adjournment having arrived the Warden left the chair.

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## SECOND DAY.

WEDNESDAY, December 4th, 1889.

Council met pursuant to adjournment.

The Warden in the chair.

All members present.

The minutes of yesterday were read by the Clerk and approved.

Communica-  
tion from Dr.  
O'Reilly.

The Warden presented a communication from Dr. O'Reilly, in *re* Fire Hall, Town of Welland.

Also report of Standing Committee on House of Industry, which was read to Council. The adoption of the foregoing report was deferred till later in the session.

By permission Mr. Goodrich was allowed to address the Council in reference to his Patent Hedge Fence.

Committee on  
Dr. O'Reilly's  
communica-  
tion.

Moved by Mr. Macklem, seconded by Mr. Cruikshank, that the communication from Dr. O'Reilly be referred to a special committee composed of the following named gentlemen, viz :—Messrs. Turner, Disher, Henderson, and the mover and seconder, with instructions to ascertain if any arrangement, looking to the removal of the Town Hall, can be arrived at and report if possible during the present session.—Carried.

The Warden presented report of Special Committee on communication of County Simcoe which was read to Council.

Reports  
adopted.

Moved by Mr. Cruikshank, seconded by Mr. Burgar, that the report of Special Committee just read be adopted.—Carried.

The Warden presented report of Special Committee *re* communication from Senator McCallum, which was read to Council.

Moved by Mr. Macklem, seconded by Mr. Cruikshank, that the report just read be adopted.—Carried.

House of In-  
dustry debentures.

The Warden presented report of Special Committee *re* House of Industry Debentures.

Moved by Mr. Cruikshank, seconded by Mr. Burgar, that report of Special Committee, *re* sale of debentures, just read, be adopted.—Carried.

The Warden presented report of Local Committee on Roads and Bridges for Willoughby and Bertie, which was read to Council.

Moved by Mr. Barnhard seconded by Mr. Miller, that the report just read be adopted.—Carried.

The hour of adjournment having arrived the Warden left the chair.



## AFTERNOON SESSION.

At 2 o'clock p.m. the Council resumed.

The Warden presented a communication from R. F. Carter & Co.

By permission the Special Committee on Mr. Chamberlain's communication were allowed to retire.

The Warden presented report of Jail Committee, which was read to Council,

Moved by Mr. Hobson seconded by Mr. Turner, that the report of Jail Committee just read be adopted.

Jail committee's report adopted.

Moved by Mr. Macklem, seconded by Mr. Bugar, that whereas communication has been received from Messrs. R. F. Carter & Co., asking for a certificate as to the efficiency of the steam heating apparatus put in by them, and in use for the past five years in this Court House, and whereas the said steam heating apparatus has given entire satisfaction, Be it resolved, that the Warden be and he is hereby authorized to reply to the said communication and state that this Council is entirely satisfied with the efficiency of the work.

Testimonial to R. F. Carter & Co.

The Warden presented report of Special Committee *re* County of Huron communication, which was read to Council.

Moved by Mr. Jones, seconded by Mr. Turner, that the report just read be adopted.—Carried.

Reports adopted.

The Warden presented report of Special Committee *re* standard stallions which was read to Council.

Moved by Mr. Morris, seconded by Mr. Ramsden, that the report just read be adopted.—Carried.

By permission Mr. Lent was allowed to address the Council in reference to establishing a uniform County promotion examination.

Moved by Mr. Ramsden, seconded by Mr. Hobson, that the sum of \$25 be granted by this Council in aid of County promotion examinations, as requested by the Welland County Teachers' Association, and that the Warden do issue his cheque on the Treasurer in favor of the Secy-Treasurer of the above named Association for that amount.

\$25 granted to Co. Teachers' Association.

Yeas and nays being called were taken as follows :—



Yeas—Messrs. Barnhard, Brown, Bugar, Disher, Emmett, Hobson, Krafft, Morris, Neff, Ramsden, Roland and Turner.—12.

Nays— Messrs. Henderson, Jones, Macklem, Miller, and H. N. Willson.—5.

Motion passing in the affirmative, majority 7.

The Warden presented return from County Treasurer, pursuant to resolution of yestersday, which was read to Council.

Treasurer's  
statement.

Moved by Mr. Cruikshank, seconded by Mr. Jones, that the Treasurer lay before this Council, to-morrow morning, a statement shewing the sums received from the various Municipalities of this County from the present year's assessment.—Carried.

The hour of adjournment having arrived the Warden left the chair.

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### THIRD DAY.

THURSDAY, December 5th, 1889.

Pursuant to adjournment the Council met at 9 o'clock a.m.

The Warden in the chair.

All members present.

Minutes of yesterday were read by the Clerk and approved by Council.

Committees  
retire.

By permission the Road and Bridge and House of Industry Committees were allowed to retire. Before their return the hour of adjournment arrived and the Warden left the chair.

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### AFTERNOON SESSION.

At 2 o'clock the Council resumed.

The Warden presented return from County Treasurer, pursuant to resolution.

Moved by Mr. Brown, seconded by Mr. J. Wilson, that the deputation from the County of Lincoln be now heard in reference to the proposed joint action desired by them in the matter of the Town Line between Gainsboro and Pelham.—Carried.

Reception of  
deputation  
from Co. of  
Lincoln.

The Warden presented the report of the Local Committee on Roads and Bridges for Pelham and Thorold, which was read to Council.

Moved by Mr. Morris, seconded by Mr. J. Wilson, that the report just read be adopted.—Carried.

Road and  
Bridge Com-  
mittee's report  
adopted.

The deputation from County of Lincoln addressed the Council in reference to the line between Pelham and Gainsboro.

Moved by Mr. J. Wilson, seconded by Mr. Brown, that this Council do concur with the deputation from the County of Lincoln regarding the opening of the road or line between the Townships of Pelham and Gainsboro, and between the Counties of Lincoln and Welland, and that the County Solicitor be instructed to act in connection with the solicitor of the County of Lincoln in regard to the opening of said line.

Pelham and  
Gainsboro  
town line.

Yeas and nays being called were taken as follows :

Yeas—Messrs. Barnhard, Brown, Henderson, Jones, Krafft, Macklem, Neff, Ramsden, Shrimpton, Shriner, Turner, J. Wilson, H. N. Willson, and Williams. —14.

Nays—Messrs. Bugar, Cruikshank, Disher, Emmett, Hobson, Miller, Morris, Roland.—8.

The motion passing in affirmative, majority 6.

Moved by Mr. H. N. Willson, seconded by Mr. Jones, that this Council desires to express its entire approbation of the action of Senator McCallum in introducing an Act to amend the Railway Act, so as to make the construction of drains or ditches for the purpose of draining lands across the lands and railway of any Railway Company, and the maintenance of the same, which this Council views as a just and highly necessary measure and one in which certain portions of this County is specially interested, and that a copy of this resolution be forwarded to Mr. McCallum.—Carried.

Resolution re-  
specting drain-  
age across  
railway lands.

Adoption of  
House of In-  
dustry com-  
mittee's report.

The motion for the adoption of the report of Standing Committee on House of Industry was again proposed and carried without a division.

Bill to be in-  
troduced.

Mr. H. N. Willson gave notice that on to-morrow he will ask leave to introduce a Bill in accordance with Cap. 36 Sec. 17, Ontario Statute, 1889.

Jail Commit-  
tee report.

The Warden presented report of Jail Committee, which was read to Council and by consent allowed to stand.

The Warden presented second report of Jail Committee which was read to Council.

Moved by Mr. Hobson, seconded by Mr. Turner, that the second report of Jail Committee just read be adopted.—Carried.

Motion to ob-  
tain expert  
opinion re  
heating.

Moved by Mr. Bugar, seconded by Mr. Cruikshank, that it be an instruction to the Warden to procure the opinion of an expert re heating as proposed by Messrs. Carter & House, if said expert could be obtained for a sum not greater than \$10.—Carried.

The hour of adjournment having arrived the Warden left the chair.

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#### FOURTH DAY.

FRIDAY, December 6th, 1889.

Pursuant to adjournment the Council met at 9 o'clock a.m.

The Warden in the chair.

All members present.

The minutes of yesterday were read by the Clerk and approved by Council.

The Warden presented communication from the Keeper of House of Industry.

Also a telegram from Hardwick & Ware, re heating.

Report of  
Local Road  
and Bridge  
Committee.

The Warden presented report of Local Committee on Roads and Bridges for Townships of Thorold and Stamford, which was read to Council.

Moved by Mr. Willson, seconded by Mr. Emmett, that the report just read be adopted.—Carried.

Moved by Mr. Jones, seconded by Mr. Emmett, that the communication of J. W. Hemming be referred to the Salaries Committee to report at this session.—Carried.

Moved by Mr. Cruikshank, seconded by Mr. Henderson, that whereas for many years past it has been the practice for local road and bridge Committees of this Council, to build all bridges whatsoever situated on town lines separating any of the original township municipalities of this County, between a township in this County and one in an adjacent county at the expense of this County ;

And whereas this practice does not appear to be authorized by Statute, except where "bridges across streams separating two townships in the county" are concerned, or by any by-law heretofore enacted by this Council, and besides being open to objection on grounds of evident injustice to those taxpayers not directly interested, is attended by a very considerable expenditure of County funds for purely local purposes, which should be borne by the adjacent municipalities responsible for the maintenance of the said town line roads ;

Respecting  
Town Line  
Bridges.

Therefore be it resolved, that from and after the date of passing this resolution that this practice be discontinued, and that the local road and bridge Committees do govern themselves accordingly.

The yeas and nays being called were taken as follows :—

Yeas—Messrs. Brown, Burgar, Cruikshank, Emmett, Henderson, Hobson, Jones, Krafft, Shrimpton, Turner, H. N. Willson and Williams.—12.

Nays—Messrs. Barnhard, Disher, Miller, Morris, Neff, Ramsden, Roland, Shriner, J. Wilson.—9.

The motion passing in the affirmative, majority 3.

By permission the House of Industry Committee were allowed to retire.

The hour of adjournment having arrived the Warden left the chair



## AFTERNOON SESSION.

At 2 o'clock p. m. the Council resumed.

Account for  
swinging Mont-  
rose Bridge.

Moved by Mr. Barnhard, seconded by Mr. Emmett, that the sum of \$50 be paid to William Burns for swinging Montrose bridge for the year ending 31st inst., and that the Warden be authorized to issue his cheque for the same.—Carried.

The Warden presented report of Road and Bridge Committee, which was read to Council.

Moved by Mr. Barnhard, seconded by Mr. Emmett, that the report just read be adopted.—Carried.

The Warden presented report of Standing Committee on Salaries, which was read to Council.

Moved by Mr. Miller, seconded by Mr. Henderson, that the report just read be adopted.

Amendment to  
Report of  
Salaries Com-  
mittee.

Moved by Mr. J. Wilson, seconded by Mr. Williams, in amendment, that the report of Committee on Salaries be referred back to said committee, with instructions to amend the same by recommending an increase of salary of \$50 per year for Matron of Industrial Home, to date from 1st day of June last.

And moved by Mr. Hobson, seconded by Mr. Emmett, in amendment to the amendment, that the figures \$50 in the amendment be struck out and \$75 inserted.

The amendment to the amendment being proposed, the yeas and nays being called were taken as follows :

Yeas—Messrs. Barnhard, Emmett, Hobson, Jones, Shrimpton—5.

Nays—Messrs. Brown, Burgar, Cruikshank, Dishe, Henderson, Krafft, Miller, Morris, Neff, Ramsden, Roland, Shriner, Turner, J. Wilson, H. N. Willson and Williams—16.

Amendment to the amendment passing in the negative, 11 majority.

The amendment being again proposed and the yeas and nays being called were taken as follows :

Yeas—Messrs. Barnhard, Burgar, Emmett, Hobson, Jones, Krafft, Ramsden, Shrimpton, Turner, J. Wilson and Williams—11.

Nays—Messrs. Brown, Cruikshank, Disher, Henderson, Miller, Morris, Neff, Roland, Shriner and H. N. Willson—10.

Amendment passing in the affirmative, majority 1.

Pursuant to the amendment the report of Committee on Salaries was referred back to said committee for amendment.

Moved by Mr. Cruikshank, seconded by Mr. Brown, that it be an instruction to the Special Committee appointed to confer with representatives of the town of Welland respecting the removal of the fire hall, to attempt to arrive at some definite arrangement regarding the use of the County jail as a lock-up by the said town of Welland, as provided for by section 44 of Municipal Amendment Act of 1889.—Carried.

Motion respecting the jail being used as a lock-up by the Town of Welland.

The Warden presented the amended report of Committee on Salaries, which was read to Council.

Moved by Mr. Williams, seconded by Mr. J. Wilson, that the report of Committee on Salaries as amended be adopted.

The yeas and nays being called were taken as follows:—

Yeas—Messrs. Barnhard, Burgar, Emmett, Hobson, Jones, Krafft, Ramsden, Shrimpton, Turner, J. Wilson and Williams.—11.

Amendment to Report of Salaries Committee lost.

Nays—Messrs. Brown, Cruikshank, Disher, Henderson, Macklem, Miller, Morris, Neff, Roland, Shriner and H. N. Willson.—11.

The motion being declared a tie, the Warden, after explaining his position, voted nay and declared the motion lost.

Mr. Henderson gives notice that he will on to-morrow ask leave to introduce a bill to assume certain bridges on the town lines as county bridges, and to define the width of the same.

The Warden presented second report of Road and Bridge Committee, which was read to Council.

Moved by Mr. Barnhard, seconded by Mr. Brown, that the report just read be adopted.—Carried.

Bridge Committee's Reports adopted.

Warden presented report of Local Committee on Roads and Bridges for Stamford and Niagara Falls, which was read to Council.

Moved by Mr. Emmett, seconded by Mr. Shrimpton, that the report just read be adopted.—Carried.

The Warden presented second report of Committee on House of Industry, which was read to Council.

Moved by Mr. Ramsden, seconded by Mr. Shrimpton, that the report just read be adopted.—Carried.

The hour of adjournment having arrived the Warden left the chair.

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#### FIFTH DAY.

SATURDAY, December 7th, 1889.

Pursuant to adjournment the Council met at 9 o'clock a.m.

The Warden in the chair.

All members present.

The minutes of yesterday were read by the Clerk and approved by Council.

The Warden presented Finance Committee's report, which was read to Council.

Moved by Mr. Macklem, seconded by Mr. Bugar, that the report just read be adopted.

The Special Committee, *re* fire hall, Welland, were allowed to retire.

Amendment to  
Jail Com-  
mittee's Re-  
port.

The motion for the adoption of Jail Committee's report being again proposed, it was moved by Mr. Macklem, seconded by Mr. Morris, in amendment, that report be referred back to said committee with instructions to strike out the recommendation as to acceptance of the offer of Messrs. House & Thompson, and that the Turnkey's residence be heated by steam from the present boiler, the work to be let by contract, and that the Jailor's residence be heated with a furnace.

The yeas and nays being called were taken as follows :—

Yeas—Messrs. Brown, Cruikshank, Emmett, Henderson, Jones, Kraft, Macklem, Miller, Morris, Roland, Shrimpton, Shriner, J. Wilson and H. N. Willson.—14.

Nays—Messrs. Neff, Ramsden, Turner and Williams.—4.

The amendment passing in the affirmative, majority 10.

Pursuant to motion the report was referred back for amendment.

The hour of adjournment having arrived the Warden left the chair.

#### AFTERNOON SESSION.

A 2 o'clock p.m. the Council resumed.

The Warden presented amended report of Jail Committee, which was read to Council.

Moved by Mr. Hobson, seconded by Mr. Turner, that the report of Jail Committee, as amended, be adopted as read.

The yeas and nays being called were taken as follows :

Yeas—Messrs. Brown, Cruikshank, Emmett, Henderson, Jones, Kraft, Macklem, Morris, Roland, Shrimpton, Shriner and H. N. Willson.—12.

Jail Committee's Report adopted

Nays—Messrs. Neff, Ramsden, Turner and Williams.—4.

The motion passing in the affirmative, majority 8.

The Warden presented report of Special Committee re fire hall, which was read to Council.

Moved by Mr. Cruikshank, seconded by Mr. Macklem, that the report of Special Committee just read be adopted.

The yeas and nays being called were taken as follows :

Yeas—Messrs. Brown, Cruikshank, Emmett, Henderson, Jones, Kraft, Macklem, Morris, Roland, Shrimpton, Turner, H. N. Willson and Williams.—13.

Special Committee's Report re fire hall adopted

Nays—Messrs. Bugar, Hobson, Neff, Ramsden, Shriner and J. Wilson.—6.



The motion passing in the affirmative, majority 7.

Moved by Mr. Bugar, seconded by Mr. Williams, that the Warden do now leave the chair and that Mr. Cruikshank do take the same.—Carried.

Pursuant to motion, Mr. Cruikshank took the chair.

Thanks to the  
Warden.

Moved by Mr. Bugar, seconded by Mr. Jones, that this Council desires to express its appreciation of T. L. Stone, Esq., Warden, during the present year, for the very able and efficient manner in which he has presided over the deliberations of this Council, and also to convey to him their thanks for his courtesy and kindly and impartial manner in which he has dealt with the tangled web of county matters. Carried unanimously ; many members speaking in appreciation of the Warden's ability in filling the position during the past year.

Mr. Cruikshank conveyed to the Warden the purport of foregoing resolution, accompanied by his personal appreciation of the Warden's impartiality during the past year in the position of Warden of the County of Welland.

After which the Warden thanked the members of Council for the very flattering remarks that had been made, and assured them that the result of his year's work depended very largely upon the assistance received from councillors, and was pleased to hear from so many members their approval of his actions during the past year. With a few additional remarks he resumed the chair.

Moved by Mr. Bugar, seconded by Mr. Cruikshank, that this Council do now adjourn.—Carried.

Pursuant to motion the Council adjourned at 3:30 p.m.

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APPENDIX A.

REPORTS.

FIRST REPORT OF JAIL COMMITTEE.

*To the Warden and Councillors of the County of Welland, in Council assembled :*

Your Jail Committee beg leave to submit this their report :

Your committee met on the 10th day of July, at the regular quarterly audit, to receive tenders for coal and passing of accounts.

Following are the tenders for coal :

|                                          |        |
|------------------------------------------|--------|
| F. M. Hagar, No. 4, per ton.....         | \$4 80 |
| Grate, " .....                           | 4 60   |
| Coulson & Robinson, No. 4, per ton ..... | 5 80   |
| Grate, " .....                           | 5 35   |
| J. M. Douglas, No. 4, per ton .....      | 5 60   |
| Grate, " .....                           | 5 30   |
| W. L. Rice, No. 4, per ton .....         | 4 88   |
| Grate, " .....                           | 4 74   |
| Jas. Blackwell, No. 4, per ton.....      | 4 88   |
| Grate, " .....                           | 4 66   |

The tender of F. M. Hagar being the lowest was accepted.

The undermentioned accounts were then passed and orders given on the Warden for payment :

|                                                      |         |
|------------------------------------------------------|---------|
| A. Griffith, rent Jailer's house .....               | \$36 00 |
| Eliza Pilbeam, rent Turnkey's house .....            | 30 00   |
| C. J. Page, sundries .....                           | 10 62   |
| Town of Welland, water rent.. .....                  | 3 75    |
| Thos. Griffith, sundries .....                       | 2 21    |
| O. H. Garner, sundries .....                         | 8 75    |
| Geo. Cronmiller, chairs for Treasurer's office ..... | 5 75    |

Your committee met again on the 14th day of October and passed the following accounts, and ordered payment of same by order of Chairman on Warden :

|                                           |         |
|-------------------------------------------|---------|
| O. H. Garner, paper, &c .....             | \$ 1 90 |
| Town of Welland, water rate .....         | 2 50    |
| A. Griffith, rent Jailer's house .....    | 36 00   |
| Eliza Pilbeam, rent Turnkey's house ..... | 30 00   |
| C. J. Page, sundries .....                | 4 31    |

Your committee do now recommend payment of accounts as follows, and that the Warden issue his cheque for same :

|                                                                    |         |
|--------------------------------------------------------------------|---------|
| A. Griffith, 50 feet hose, \$10.50 ; 1 set of couplings, 50c. .... | \$11 00 |
| W. R. Strawn, repairs .....                                        | 5 25    |
| A. Valancourt, examining boiler .....                              | 5 00    |

All of which is respectfully submitted.

(Signed,) GEO. L. HOBSON,  
B. M. DISHER,  
GEO. TURNER.

COUNCIL CHAMBER,  
Welland, December 4th, 1889.

## SECOND REPORT OF JAIL COMMITTEE.

*To the Warden and Councillors of the County of Welland, in Council assembled :*

Your Jail Committee beg leave to submit this their second re-

port, and recommend payment of the following accounts, and that the Warden issue his cheque for the same :

|                                                 |        |
|-------------------------------------------------|--------|
| Marcus Vanderburgh, jail repairs. ....          | \$1 64 |
| N. B. Hagar, jail repairs.....                  | 30     |
| Thomas Mains, repairs to heating apparatus..... | 5 50   |

All of which is respectfully submitted.

(Signed,) GEO. L. HOBSON,  
GEO. TURNER,  
B. M. DISHER.

COUNCIL CHAMBER,  
Welland, December 5th, 1889.

### THIRD REPORT OF JAIL COMMITTEE, AND INSPECTOR'S REPORT.

*To the Warden and Councillors of the County of Welland, in Council assembled :*

The Jail Committee beg leave to submit this their third report, relative to the erection of residences for Jailer and Turnkey :—

Your committee, acting under the instructions contained in the resolution of your honorable body, passed on the 5th day of June last, had contract drawn between Messrs. Dickenson & Suess and the County, dated the 26th day of June, 1889, for the erection of residences for Jailer and Turnkey, in accordance with plans and specifications prepared by George Ross, Civil Engineer, and approved of by the Council and W. T. O'Reilly, Inspector of Prisons.

A bond in the sum of six thousand dollars for the completion of the work in terms of contract was duly given by the contractors.

The contract and bond hereto attached will show, by reference thereto, the conditions and penalties in connection with the work.

Your committee are pleased to say that few changes were made in original plans of said buildings, and what they were have not entailed much additional expense.



The amount of contract price and additional work with cost of same is as follows :

|                                                                                    |                  |
|------------------------------------------------------------------------------------|------------------|
| Original contract . . . . .                                                        | \$4859 00        |
| Extras for Jailer's residence, one extra coat of paint on window sashes, . . . . . | 4 50             |
| For Turnkey's residence, lead flushings where building joins court house . . . . . | 6 00             |
| 16 pieces 2x4-12 for studding side of stone wall . . . . .                         | 1 92             |
| Lathing stone wall, &c. . . . .                                                    | 5 25             |
| Total extras . . . . .                                                             | 13 17            |
| Add amount paid for plans and specifications . . . . .                             | 100 00           |
| And of inspecting . . . . .                                                        | 40 00            |
| Paid for drawing contract and bond . . . . .                                       | 6 00             |
| Total costs to date . . . . .                                                      | <u>\$5022 67</u> |

Your committee also submit the cost and items incurred in and about the rooms formerly used by Turnkey as kitchen and dining-room and bath room, excepting plumbing.

The work upon the dining room was mostly ordered by the Inspector when planing additional residences for Turnkey, and the work on kitchen was necessitated by the building of bath room and access thereto.

Cost of repairing dining room, kitchen and bath room :

|                                                      |         |
|------------------------------------------------------|---------|
| 465 ft. 1 1/4 in. flooring at 30c . . . . .          | \$13 95 |
| 5 ps. 2x12-20, 200 ft., at 17c . . . . .             | 3 40    |
| 6 ps. 2x10-16, 160 ft., at 16c . . . . .             | 2 56    |
| 85 ft. false shac., at 3/4c. . . . .                 | 64      |
| 16 ft. clear lumber, 1 1/4 dressed, at 35c . . . . . | 45      |
| 18 ft. casing, at 2c . . . . .                       | 36      |
| 18 ft. based moulding, at 2c . . . . .               | 36      |
| 10 ft. cove, at 1 1/2c . . . . .                     | 15      |
| 1 sash door . . . . .                                | 2 50    |
| 2 steps 1 1/4x12-3-0 dressed . . . . .               | 35      |
| 14 ft. casing, at 2c . . . . .                       | 28      |
| 1 pr. butts and screws . . . . .                     | 15      |
| 8 ft. lumber, d. c. j., at 35c . . . . .             | 28      |

Carried forward . . . . . \$25 43

|                                                         |         |
|---------------------------------------------------------|---------|
| Brought forward .....                                   | \$25 43 |
| 1 lock and knob (mortice).....                          | 75      |
| 84 ft. bevel base, at 2c.....                           | 1 68    |
| 8 ps. 2x4-10.....                                       | 80      |
| 1 ps. 2x10-5.....                                       | 15      |
| 52 ft. 1 in. flooring.....                              | 1 25    |
| 25 lbs. nails.....                                      | 1 00    |
| 45 ft. narrow ceiling.....                              | 1 57    |
| 13 ps. 2x4-10.....                                      | 1 30    |
| 1 pc. 2x4-12.....                                       | 12      |
| 2 risers for steps .....                                | 25      |
| 1 pc. 1x11-16, dressed.....                             | 52      |
| 1 window frame in bath room.....                        | 2 25    |
| 25 ft. wainscotting, shac., cap. and cove., at 20c..... | 5 00    |
| 56 ft. large band moulding, at 3c.....                  | 1 68    |
| 1 pc. 1x9-10 .....                                      | 26      |
| 1 window stool and apron .....                          | 15      |
| 60 ft. large panel moulding, at 3½c.....                | 2 10    |
| 12 ft. 1¼ lumber, dressed, at 35c.....                  | 39      |
| 2 pr. 4x4 bronze butts and screws.....                  | 70      |
| 2 doors, 2x6x6-8-1¾, at \$2.00.....                     | 4 00    |
| 3 lbs. spikes.....                                      | 12      |
| 2 lights glass .....                                    | 50      |
| 1 mortice lock and knob.....                            | 75      |
| 1 rim lock and knob .....                               | 60      |
| 82 ft. 1. m. 1x1¾, at ½c.....                           | 41      |
| 1 storm sash complete.....                              | 1 90    |
| 16 ft. large bevel moulding .....                       | 32      |
| 45 ft. moulded casing.....                              | 90      |
| 6 top blocks .....                                      | 30      |
| 6 base blocks.....                                      | 48      |
| Changing window to door .....                           | 5 00    |
| Staining and oiling door and casings.....               | 2 00    |
| 5 lbs. nails.....                                       | 20      |
| Joiner work complete.....                               | 42 50   |

---

\$107 43

## MASONS' WORK.

|                                                                                    |               |
|------------------------------------------------------------------------------------|---------------|
| Taking out door sill and cutting same for back door..                              | \$ 4 50       |
| Bricking up door and material....                                                  | 5 00          |
| Building extra chimney and stone cap.....                                          | 10 00         |
| Bricking up window.....                                                            | 5 00          |
| Cutting doorway through stone wall and filling round<br>same .....                 | 4 00          |
| Plastering basement .....                                                          | 10 00         |
| Cutting window for bath room and sills.....                                        | 3 50          |
| Lathing and plastering partitions in Turnkey's bath<br>room, 25c per sq. yard..... | 5 00          |
| 10 % added for recommendation of Inspector on \$40.                                | 4 00          |
|                                                                                    | <hr/> \$51 00 |

To the foregoing there will have to be added for papering  
and painting of dining room, say. ....\$ 30 00  
The cost of bath room, that is the plumbing is the same as  
for Jailer, namely..... 149 00  
Add costs of tile for sewer..... 14 65

The Jailer and Turnkey being desirous of having hot water for use in bath and kitchen, and stating that if your committee would put in the plumbing for that purpose they would furnish their own range, your committee on mentioning the matter to Mr. Thompson, the plumber, he agreed that if he was allowed to change somewhat the fitting of bath rooms as called for by specifications, he would, without impairing the service of them, put in the necessary work and materials for giving hot water, and the proposition being submitted to the Jailer and Turnkey they cheerfully consented to it. Your committee think that the change so made gives one of the greatest conveniences to the officials occupying the buildings.

Your committee, when meeting to consider the mode of heating of residences, had an estimate of same made, based upon connection with the present system in use for warming the court house and offices, by Messrs. Thompson, of Thorold, and House, of St. Catharines, the latter named person being one of long experience. They made an offer to your committee with a written guarantee that their plans would work satisfactorily, but the figures being higher than any committee is authorized to go without the sanction of the Council, the matter of

heating was deferred, so that any plan that might suggest itself to the committee could be recommended by them, or a system adopted by your honorable body.

As the plan of Jailer's residence provided for a fire place in it, the grate and frame formerly used by Jailer can be used for same; this is also the case with fire place put in the dining room of Turnkey's residence by your committee. Your committee therefore recommend that they be allowed to place mantles, bases and hearths to such grates, the total cost not to exceed fifty dollars.

Attached to this report is the Inspector's, stating that the work by the contractors has generally been performed in a satisfactory manner, to which your committee wish to add their satisfaction as to work done.

The Inspector's report will give to your honorable body a proper understanding of the condition of buildings, so that you may judge for yourselves of the manner in which the contractors have carried out their part, without any further report thereon by committee.

There has been paid to the contractors, upon the Inspector's certificates, the following sums:

|                |           |
|----------------|-----------|
| July 15 .....  | \$ 425 00 |
| July 31 .....  | 215 00    |
| Aug. 9 .....   | 850 00    |
| Sept. 4 .....  | 700 00    |
| Sept. 4 .....  | 600 00    |
| Sept. 4 .....  | 650 00    |
| Sept. 17 ..... | 300 00    |
| Oct. 8 .....   | 100 00    |
| Oct. 23 .....  | 210 00    |
| Nov. 22 .....  |           |

Total paid.....\$4050 00

There is a balance then due on contract price to the contractors of.. \$ 809 00

Out of which there is to be retained, as per agreement, 15 % on contract amounting to \$728.85, for the term of thirty-five days after completion of work.

Your committee beg to submit a statement as below, showing in condensed form the cost of Jailer's and Turnkey's residences as per



plans, and the cost of other work in connection with dining room, kitchen and bath room for Turnkey, with anticipated amounts that will be necessary to expend in completing the work :

|                                         |           |
|-----------------------------------------|-----------|
| Contract price of residences .....      | \$4859 00 |
| Extras on Jailer's part .....           | 4 50      |
| Extras on Turnkey's part .....          | 13 17     |
| Cost of plans and specifications .....  | 100 00    |
| Inspector's charges .....               | 40 00     |
| Cost of drawing contract and bond ..... | 6 00      |

Total on new buildings.....\$5022 67

#### DINING ROOM, KITCHEN AND BATH ROOM FOR TURNKEY.

Repairs and alterations to dining room and kitchen, and cost of bath room :

|                                                           |           |
|-----------------------------------------------------------|-----------|
| Carpenters' and masons' bill. ....                        | \$ 158 43 |
| Plumbing .....                                            | 149 00    |
| Tile for sewer from bath room .....                       | 14 65     |
| Cost of removing and resetting cannon .....               | 12 73     |
| Amount anticipated to complete work in Turnkey's part.... | 30 00     |
| Add mantles .....                                         | 50 00     |

Total cost when finished, excepting the heating of the building.....\$5437 48

The above amount may be slightly exceeded or not fully needed to finish. However, it cannot be much one way or another.

Your committee recommend that the Turnkey's residence be heated by steam from the present boiler, the work to be let by tender, and that the Jailer's residence be heated with a furnace.

They also advise the concurrence of your honorable body in the report of Inspector Ross herewith submitted, and that this Council do not exact, in view of the satisfactory work of contractors, any penalty on account of non-completion of building at time mentioned in contract.

Your committee further recommend the payment of following accounts before mentioned, but which have not been paid :

|                                                     |         |
|-----------------------------------------------------|---------|
| Dickenson & Suess, extras, Jailer's residence ..... | \$ 4 50 |
|-----------------------------------------------------|---------|

|                                                            |          |
|------------------------------------------------------------|----------|
| Dickenson & Suess, extras, Turnkey's residence.....        | \$ 13 17 |
| Dickenson & Suess, extras, kitchen, dining room and bath.. | 107 43   |
| N. B. Hagar, tile for sewer, Turnkey's.....                | 4 80     |
| N. B. Hagar, mason work.....                               | 51 00    |
| James Thompson, plumbing Turnkey's rooms.....              | 149 00   |
| W. H. Lowe, tile for sewer, Turnkey's.....                 | 9 85     |
| George Ross, Inspector.....                                | 40 00    |
| Raymond, drawing contract and bond.....                    | 6 00     |
| N. B. Hagar, removing cannon.....                          | 7 80     |
| M. Vanderburgh, removing cannon.....                       | 4 93     |

All of which is respectfully submitted.

(Signed,) GEO. L. HOBSON,  
GEO. TURNER,  
B. M. DISHER.

COUNCIL CHAMBER,  
Welland, December 5th, 1889.

#### INSPECTOR'S REPORT.

*G. L. Hobson, Esq., Chairman Jail Committee, County of Welland:*

DEAR SIR,—

I have the honor to report that the contractor for the Jailer's and Turnkey's residences has completed the work, with the exception of painting the tin roofs, which, according to the specifications, were not to be painted until a few months after the buildings were finished ; also one coat of paint is yet to be given to the outside steps.

I am happy to state that the work generally has been performed in a very satisfactory manner, but the tin roof has a few seams that leak through ; the work was carefully done and great attention given to the inspection of the same. I recommend that the sum of fifteen dollars be retained until all leaks are discovered and soldered, this to be done before the roof is painted. When all seams that now leak are filled with solder the roof will be a first-class one.

The most serious defect in the workmanship is in the plastering, which, owing to some cause, as allowing some impurity to find its way into the finishing coat, has developed a yellow stain, particularly in the Jailer's residence. Of course the contractor is required to make

this good, but, as in any case, in a few years the walls and ceilings would require to be papered. I recommend that the rooms where imperfections show in the plaster be papered at once, using good paper, the cost, or rather a certain proportion of the cost, say one-third, be charged against the contractors.

The buildings, according to contract, were to have been completed by the 1st of October, under a penalty of five dollars per day for each day's delay after that time. Owing to the faithful manner in which the contractor has carried out the work, especially in his own department, I would recommend, notwithstanding the exceptions above referred to and which will have to be made good, that the Council be as lenient as possible in exacting any penalty.

The extra work in the Jailer's residence was one extra coat of paint on certain parts of the interior, as the window sashes, where two coats were called for in the specifications, and which did not prove sufficient, for which the contractors are entitled to receive the sum of four dollars and fifty cents. In the Turnkey's residence lead flushing was used against the main building instead of galvanized iron at an extra cost of six dollars. Some other extra cost was also incurred in this building in converting the rear hall window into a door, and also an account of connecting the bath room with the new building, the account for which rendered to you is correct.

I recommend that the sum of seventy dollars be retained from the contractors until the roofs are painted, and the sum of fifty dollars be retained on account of papering, in addition to the sum of fifteen dollars already mentioned for repairs, and the balance be paid the contractors.

The sum I have issued certificates for is four thousand and fifty dollars.

All of which is respectfully submitted.

Your obedient servant,

GEO. ROSS,

Superintendent.

WELLAND, 2nd December, 1889.

## REPORT OF HOUSE OF INDUSTRY COMMITTEE.

*the Warden and Councillors of the County of Welland, in Council assembled :*

Your Standing Committee on House of Industry beg to submit this their report, since their report presented at the June session of this year, which included the committee meeting of May 10th :

Your committee met on July 10th for the purpose of opening tenders for coal and general business.

The tenders received were from the following :

|                                                          |        |
|----------------------------------------------------------|--------|
| No. 1—Jas. Blackwell, for furnace coal, per ton.....     | \$4 66 |
| “ stove “ “ .....                                        | 4 95   |
| No. 2—F. M. Hagar, “ furnace “ “ .....                   | 4 80   |
| “ stove “ “ .....                                        | 5 00   |
| No. 3—J. M. Douglass, “ furnace “ “ .....                | 5 25   |
| “ stove “ “ .....                                        | 5 75   |
| No. 4—Coulson & Robinson, for furnace coal per ton ..... | 5 35   |
| “ stove “ “ .....                                        | 5 60   |
| No. 5—W. L. Rice, “ furnace “ “ .....                    | 5 29   |
| “ stove “ “ .....                                        | 5 49   |

Mr. Blackwell's tender being the lowest for 45 tons of furnace and 15 tons of stove coal, was accepted. The same has been delivered, accompanied with a weigh bill for each load. Total amount, \$286.58, which has been paid.

Your committee had presented to them the following accounts :

|                                                                      |         |
|----------------------------------------------------------------------|---------|
| From Dr. Burgar, <i>re</i> P. H. Ruter. ....                         | \$ 4 00 |
| Dr Burgar, Caroline Taggart to asylum ..                             | 15 85   |
| Geo. T. Goode, tomato plants .....                                   | 9 00    |
| Philip Durk, ashes .....                                             | 23 37   |
| M. P. Baldwin, wood contract .....                                   | 65 00   |
| S. E. Hopkins, account, sundry items .....                           | 16 25   |
| O. H. Garner, messages and tickets, <i>re</i> C. Taggart ....        | 11 20   |
| J. J. Sidey, subscription and advertising for tenders for coal ..... | 3 40    |
| Robt. Evans & Co., for seeds .....                                   | 34 89   |
| Geo. A. Ellsworth, work and material, sundry jobs ...                | 41 08   |
| H. W. Hobson, account by physician .....                             | 8 50    |



|                                                                                              |        |
|----------------------------------------------------------------------------------------------|--------|
| From E. W. Cheesman, veterinary surgeon, for sick cow . . . . \$                             | 9 00   |
| W. D. Jeffrey, sewer pipe . . . . .                                                          | 1 25   |
| Andrew Carl, account, repairs, &c . . . . .                                                  | 7 48   |
| Levi Willson, account, butter and eggs, as per pass<br>book, April, May and June . . . . .   | 23     |
| Geo. A. Phillips, for bread, as per pass book, May and<br>June . . . . .                     | 57 64  |
| W. J. Best, per pass book, meat for May and June,<br>\$100.35, less 2 calves, \$11 . . . . . | 89 35  |
| C. J. Page, account, pass book, May and June . . . . .                                       | 172 69 |
| Ross & Co., dry goods, per pass book, April, May and<br>June . . . . .                       | 23 69  |
| Joshua Fares, smoothing iron . . . . .                                                       | 3 00   |

The foregoing accounts are in every case certified to as correct. When pass books are mentioned the parties are contractors; with the exception of Mr. Willson's, each book is herewith submitted for inspection.

The accounts were ordered paid.

Your committee at this meeting engaged one Mrs Jas. Perry, an inmate sent from town of Thorold, who had two children. The following resolution was passed:—"Moved by Mr. Shrimpton, seconded by Mr. Morris, that Mrs. James Perry be engaged at the Home at \$4.00 per month from this date, she to assist in the kitchen and also in sewing; she to have her children kept in the Home until further notice.—Carried."

Your committee thought it advisable in the interest of the Home to adopt this course. It might be advanced that she was an inmate and obliged to work; such would be the case, but this particular person is of a rather superior class than the average inmate, and by doing as we have done relieves the position somewhat and consequently more work obtained.

The Inspector reported that Philip H. Ruter had been sent to the asylum at Hamilton, by instructions given, in charge of Robert Morrison, who returned a receipt from the asylum of his delivery.

Also that Caroline Taggart had been sent to Orillia in care of Dr. Bugar.

Your committee adjourned to meet again at call of Chairman.

On 30th of September your committee met again for general business, passing accounts, &c.

The following certified accounts were presented by the Inspector and ordered paid :

|                                                                                                           |          |
|-----------------------------------------------------------------------------------------------------------|----------|
| S. E. Hopkins, account, sundry items.....                                                                 | \$ 29 00 |
| H. A. Willett, account by physician.....                                                                  | 4 50     |
| Burgar & Douglass, account by physician .....                                                             | 4 70     |
| Brown Bros., account.....                                                                                 | 2 00     |
| Welland water works account, 75 loads water at 25c .....                                                  | 18 75    |
| John Gross & Son, repairs, &c.....                                                                        | 4 50     |
| John Peterson, door bell and attachment ...                                                               | 4 75     |
| Robertson Bros., repairs to mower, &c .....                                                               | 1 25     |
| P. McMurray, account, house furnishings .....                                                             | 1 70     |
| W. D. Jeffrey, sewer pipe elbows.....                                                                     | 1 25     |
| R. Cooper, account, feed, &c .....                                                                        | 81 04    |
| A. Griffith, account, hose for water cart.....                                                            | 5 40     |
| W. H. Crow, account, fence posts, &c.....                                                                 | 22 13    |
| Geo. A. Phillips, account, bread, per pass book, for July,<br>August and September.....                   | 80 08    |
| D. McCaw & Son, boots and shoes .....                                                                     | 12 85    |
| Levi Willson, per pass book, July, August and September,<br>\$29.04 ; cutting and binding oats, \$10..... | 39 04    |
| C. J. Page, account, per pass book, July August and Sept...                                               | 200 59   |
| W. J. Best, account, per pass book, July, August and Sept...                                              | 153 90   |
| Withrow & Hillock, 1 refrigerator to order .....                                                          | 40 00    |

At this meeting a communication was received from W. H. Lowe, Esq., of estate of W. D. Jeffrey, stating that the account of April 2nd, 1888, of \$2, for which he understood a cheque had been issued, that the cheque had been mislaid and wished a duplicate cheque. Upon enquiry of County Treasurer such cheque had not been paid. Your committee ordered a duplicate cheque to be issued for the amount.

The Secretary presented a communication from the town of Niagara Falls, making application for the admission of one William Ward into the Home, claiming that as they contributed to the support of insane destitute under the award, they should be allowed to commit proper persons.

Your committee, after considering the matter and reading the letter from Mr. Cruikshank in connection, decided that the said person should be admitted, if the physician, after examination, considered him a proper person, under the insane destitute ; if violently insane, not to be admitted. The Town Clerk to be notified accordingly.

The Keeper reported 3 deaths since last meeting, viz :—Calvin Haun, Humberstone, buried at the Home ; John Harper, Humberstone, taken away ; L. Ritenburgh, Thorold, buried at the Home.

Your committee are of the opinion that if friends wish to remove any deceased person they should be allowed to do so upon paying all expenses.

Instructions were given to have drainage gone on with as fast as possible by prison labor, when available.

Also to put in culverts in front of House.

The Keeper reported that he had exhibited various kinds of roots at Toronto Exhibition, and had received several 2nd and 3rd prizes thereon.

Your committee's attention was drawn to the minute book of the physician, of date of 23rd Augst, wherein he condemned the wells as unfit for use.

Your committee, therefore, instructed the Keeper to close up the wells.

Your committee regret that so much has been expended on the wells and now no good ; water supply will have to be considered seriously at an early date.

Instructions were given to have some repairs to hospital made.

Committee adjourned to meet again at call of chairman.

On November 5th your committee again met to prepare particulars for advertisement for tenders for supplies for the year 1890, and for other matters.

The following accounts were presented and paid :

|                                                                                 |         |
|---------------------------------------------------------------------------------|---------|
| Dr. Bugar, account, re Nellie Anderson .....                                    | \$ 4 50 |
| S. E. Hopkins, account, sundry items, including ventilators on<br>hospital..... | 17 65   |
| Dr. Cheesman, account, sick horse.....                                          | 8 00    |

The advertisements for supplies were prepared ; tenders to be received up to and including 28th Nov.

The Keeper reported that about 25 lbs. of meat had spoiled during the summer, through some misunderstanding of an inmate.

Also that one Mrs. Prouse had been sent from Niagara Falls South to board at Home at \$2 per week, commencing 21st October. The advisability of taking persons of this kind was considered by committee, and as it was questionable whether the party would stay, the matter was allowed to stand over.

Your committee are not favorable to making the Home a boarding house, as there are enough in the county who are entitled to the care of the Home without taking any persons who have money, and besides that class are much more trouble than the ordinary inmate.

Your committee adjourned to meet again on 29th November to receive tenders for supplies for the year 1890.

On the 29th November your committee again met to receive tenders and award contracts for supplies for the year 1890.

The following tenders were received :

|                           |                 |
|---------------------------|-----------------|
| D. McCaw & Son, for ..... | Boots and Shoes |
| W. F. Guest, " .....      | Meat            |
| W. J. Best, " .....       | "               |
| Pursel & Gordon, " .....  | Dry Goods       |
| Ross & Co., " .....       | "               |
| E. Shupe, " .....         | Bread           |
| James Morwood, " .....    | "               |
| Geo. A. Phillips, " ..... | "               |
| C. J. Page, " .....       | Groceries       |
| J. B. Taylor, " .....     | "               |
| E. A. Pitts, " .....      | Yarn            |

Your committee did not as heretofore get the assistance of outside parties in letting tenders.

The following were the accepted tenders :

|                           |                 |
|---------------------------|-----------------|
| D. McCaw & Son, for.....  | Boots and Shoes |
| W. J. Best, " .....       | Meat            |
| Ross & Co., " .....       | Dry Goods       |
| Geo. A. Phillips, " ..... | Bread           |
| C. J. Page, " .....       | Groceries       |



The accepted tenders are herewith submitted.

The following accounts were presented :

|                                                                                    |          |
|------------------------------------------------------------------------------------|----------|
| P. McMurray, account agricultural furnaces.....                                    | \$ 17 00 |
| Somerville & Trimble, sundry items, including scraper....                          | 13 00    |
| C. J. Page, account per pass book Oct. 3rd to Nov. 28th.                           | 118 19   |
| E. Morris, seed potatoes, July 16 .....                                            | 90       |
| Bell Telephone Company, as per contract for 12 mos. rent<br>to Aug. 1st, 1890..... | 40 00    |

Your committee have discontinued the services of Price W. Brown as farm hand, his year having expired Nov. 12th ; the hiring of a farm hand when wanted we leave in the hands of our successors, but have no hesitation in recommending this young man for the consideration of the committee of 1890, as he has given entire satisfaction.

The Inspector drew the attention of the committee to the items in report of Special Committee in June session, presented by him, and asked what part of them should be paid for as promised ; it was decided that items on page 105, June session, 1889, less six pair calf mitts, \$4.50 ; individual salts, \$1.25 ; 9½ lbs. butter, \$2.38 ; seven white fish, 52c, leaving \$6.30, and also all items on page 106, amounting to \$20.32, making a total of \$26.62, should be refunded to the county, which has been done.

Your committee would recommend that drainage be gone on with as fast as possible ; prison labor should be employed if it could be done to advantage. Some arrangements should be made for water supply if prison labor could be utilized in laying pipes from the Home to the main, would lessen the cost materially.

Your committee have made repeated attempts to get the two idiots to the asylum, but it is impossible to do so, as the asylum is full and their new buildings will not be done for a year yet ; if the county is compelled to take care of this class of persons, it will be necessary to consider in the near future of a better place for them ; the place used as a hospital is entirely too small for the number that are in it ; we have had done all that could be reasonably done towards improving it, but it is not now at all satisfactory and cannot be made so for the number that are in ; the consideration of this matter we leave with our successors.

The amount of produce raised on the farm the present year is as follows :

668 bush. potatoes, 267 bush. Sweeds, 165 bush. Mangolds, 112 bush. carrots, 98 bush. common turnips, 38 bush. parsnips, 20 bush. onions, 12 bush. beets, 12 bush. raddish, making a total of 1392 bushels of potatoes and roots.

|                                                     |          |
|-----------------------------------------------------|----------|
| Strawberries sold .....                             | \$ 13 32 |
| 191 bush. oats at 30c .....                         | 57 30    |
| 92 " corn at 25c .....                              | 23 00    |
| 218 " 16 lbs. peas (factory) at 37c .....           | 80 85    |
| 7 tons, 5 cwt., 24 lbs. corn (factory) at \$7 ..... | 50 84    |
| 9 loads corn stalks at \$3 .....                    | 27 00    |
| 5 " " fodder at \$4 .....                           | 20 00    |
| 3 " pea straw at \$1.50 .....                       | 4 50     |
| 4 tons oat straw at \$3 .....                       | 12 00    |
| 8 tons hay at \$7 .....                             | 56 00    |
| 400 heads cabbage .....                             | 4 00     |
| 150 heads celery .....                              | 1 50     |
| 1 load squash .....                                 | 5 50     |
|                                                     | <hr/>    |
|                                                     | \$355 81 |

|                                                             |          |
|-------------------------------------------------------------|----------|
| Estimated value of the 1392 bush. of potatoes and roots.... | \$531 87 |
| Five months keep in pasture field for four cows at \$1.50   |          |
| per month .....                                             | 30 00    |
| Vegetables used in the Home all summer (not including       |          |
| potatoes). .....                                            | 20 00    |
| Six rows strawberries .....                                 | 6 00     |

Fat stock sold and consumed since Jan. 1st :

|                  |          |
|------------------|----------|
| 1 fat cow .....  | \$ 54 00 |
| 4 calves .....   | 21 00    |
| 5 fat pigs ..... | 85 46    |
| 6 fat pigs ..... | 110 17   |
|                  | <hr/>    |
|                  | \$270 63 |

Making total receipts and estimated value of produce raised.....\$1214 31

Your committee do not think that the value of products are over estimated as given above, and trust the showing for products of the year will be satisfactory to the Council and the county generally.

Your committee have also to report that it has been the custom since the opening of the Home to issue cheques to keeper for incidental expenses; we have examined his cash book for the year and herewith give an itemized statement of receipts and expenditures from 1st January to 30th November of the present year; in each case we find a voucher.

The keeper's cash book shows receipts from—

|                                                        |             |
|--------------------------------------------------------|-------------|
| Cheques issued and produce sold since Jan. 1st, 1889.  | .. \$271 43 |
| Amounts paid out by him as shown by vouchers since an. |             |
| 1st, 1889.....                                         | 259 72      |
|                                                        | <hr/>       |
| Leaving a balance in his hands of.....                 | \$11 71     |

Your committee have endeavored in this report to comply with the recommendation contained in the report of Special Committee at June session last "to give a detailed statement," and trust they have succeeded in doing so.

Your committee cannot give the average cost per week at this session, but it will appear in the Inspector's report at the close of the year, and we trust will be found satisfactory.

The total expenditure to December 1st on all accounts is \$4,735.91, of which \$618.00 is chargeable to capital account, \$147.00 to house furnishings, \$90.00 to farm implements bought, and \$65.00 to farm stock.

At the end of the year the receipts in connection with the institution probably will amount to somewhere in the neighborhood of \$1,250. Your committee cannot give exact figures, the books in connection with the institution not being closed.

All of which is respectfully submitted.

(Signed,)

J. A. RAMSDEN,  
GEO. SHRIMPTON.

COUNCIL CHAMBER,  
Wellend, Dec. 4th, 1889.

## SECOND REPORT OF HOUSE OF INDUSTRY COMMITTEE.

*To the Warden and Councillors of the County of Welland, in Council assembled:*

Your Standing Committee on House of Industry beg leave to submit this their second report and recommend the payment of the following certified accounts :

|                                   |         |
|-----------------------------------|---------|
| H. W. Hobson, medicines.....      | \$25 03 |
| H. Willett, whiskey.....          | 4 00    |
| Geo. Cronmiller, coffins.....     | 31 00   |
| W. T. Sawle, printing .....       | 14 50   |
| J. J. Sidey, " .....              | 11 80   |
| Bell Telephone Co., messages..... | 30      |

We would also recommend that the chairman of the Jail Committee be instructed to procure the necessary boots and underclothing required under the jail regulations for prisoners who work outside of the jail walls, so that they may be worked at the Industrial Home and farm at under-draining and other work, if deemed expedient. Your committee propose to hire James Nixon, a person approved of by the Sheriff, to take charge of the prisoners while working, the wages of Mr. Nixon being \$1.50 per day for time actually engaged at work.

All of which is respectfully submitted.

(Signed,) J. A. RAMSDEN,  
GEO. SHRIMPTON,  
E. MORRIS.

COUNCIL CHAMBER,  
Welland, Dec. 6th, 1889.

## REPORT OF STANDING COMMITTEE ON ROADS AND BRIDGES.

*To the Warden and Councillors of the County of Welland, in Council assembled:*

Your Standing Committee on Roads and Bridges beg leave to submit this their report :

Your committee met the Lincoln committee at Wellandport and let contract to Charles Adams for painting the above bridge and



caused some other repairs, to the sum of \$41.80, being half of contract price, Lincoln paying an equal amount, which has been paid by the Warden's cheque.

Your committee also met the Lincoln committee and jointly let the contract for building a new bridge, on county line between Thorold and Louth, to Charles North, for the sum of \$165.00, Lincoln paying half of the above amount, which has also been paid by the Warden's cheque.

Your committee would recommend the payment of the following accounts :

|                                                    |        |
|----------------------------------------------------|--------|
| Charles Fritz, for putting notices on bridges..... | \$2 25 |
| A. B. McLean, spikes and bolts.....                | 1 13   |

Your committee had some repairs done to O'Reilly bridge by Urial C. Burghar to the amount of \$16.25, which has been paid by the Warden's cheque; J. W. Fares, for oak plank to the amount of \$14.67, which has also been paid by cheque; and also Johnson Bros. for 1,000 feet of oak plank for Montrose bridge, \$25.00, which has also been paid by Warden's cheque.

Your committee would also recommend the payment of \$2.00 to McClive & Gilleland for fees *re* accident on Twelve Mile Creek, and also recommend the payment of \$4.12 to Charles H. Goring for repairs on Wellandport bridge, and also Thomas Keyes, County Treasurer of Lincoln, the sum of \$1.25, being one-half portion of account rendered by the chairman of the Road and Bridge Committee for the County of Lincoln.

All of which is respectfully submitted.

(Signed,)

M. B. BARNHARD,  
C. D. EMMETT,  
WM. BROWN.

COUNCIL CHAMBER,  
Welland, Dec. 5th, 1889.

## SECOND REPORT OF STANDING COMMITTEE ON ROADS AND BRIDGES.

*To the Warden and Councillors of the County of Welland, in Council assembled:*

Your Committee on Roads and Bridges beg leave to submit this their report :

Your committee would recommend the sum of \$8.50 to be paid to P. Rock for repairing the approaches to the Port Robinson bridge, and that the Warden do issue his cheque for the same.

All of which is respectfully submitted.

(Signed,) M. B. BARNHARD,  
WM. BROWN,  
C. D. EMMETT.

COUNCIL CHAMBER,  
Welland, Dec. 6th, 1889.

## REPORT OF COUNTY TREASURER.

TREASURER'S OFFICE,  
Welland, December 4th, 1889.

In accordance with resolutions of County Council passed 3rd :

|                                                                                                               |           |
|---------------------------------------------------------------------------------------------------------------|-----------|
| Amount on hand in Imperial Bank .....                                                                         | \$ 544 83 |
| June 1st, amount due .....                                                                                    | 24,502 40 |
| July " " " .....                                                                                              | 26,073 34 |
| Aug. " " " .....                                                                                              | 27,199 37 |
| Sept. " " " .....                                                                                             | 30,069 31 |
| Oct. " " " .....                                                                                              | 32,877 52 |
| Nov. " " " .....                                                                                              | 2,367 83  |
| Dec. " " " .....                                                                                              | 1,758 29  |
| Interest paid since 1st June last, including discount on temporary loan of \$18,000, due 31st Dec. inst ..... | 814 88    |

(Signed,) JAMES McGLASHAN.  
County Treasurer.

## REPORT OF COUNTY TREASURER.

TREASURER'S OFFICE,  
Welland, December 5th, 1889.

Statement of sums received from municipalities for this year's  
assessment :

|                                |           |
|--------------------------------|-----------|
| From Township of Crowland..... | \$1442 41 |
| “ “ “ Stamford ....            | 2299 36   |

The above are the only municipalities that have paid for this  
year.

(Signed,) JAMES McGLASHAN,  
County Treasurer

REPORT OF LOCAL COMMITTEE ON ROADS AND BRIDGES  
BETWEEN STAMFORD AND NIAGARA FALLS VILLAGE.

*To the Warden and Councillors of the County of Welland, in Council assembled:*

Your committee beg leave to submit this their report :

Your committee found it necessary to build a bridge on the  
town line between Stamford and Niagara Falls Village, and sold  
the building of the same to Samuel Lockhart for the sum of \$35.00  
(thirty-five dollars), which has been paid for by the municipality of  
Stamford.

And your committee do now ask that the Warden do issue his  
cheque for the sum of \$35.00 in favor of the Treasurer of the above  
named municipality.

All of which is respectfully submitted.

(Signed,) C. D. EMMETT,  
GEO. SHRIMPTON.

COUNCIL CHAMBER,  
Welland, Dec. 6th, 1889.

# REPORT OF SPECIAL COMMITTEE ON ROADS AND BRIDGES BETWEEN THOROLD AND PELHAM.

*To the Warden and Councillors of the County of Welland, in Council assembled :*

Your Local Road and Bridge Committee for the Townships of Pelham and Thorold beg leave to submit this their report :

Your committee was called on to build a bridge near St. John. Your committee let the contract for building the same to James Williams for the sum of \$94.50. The bridge has been completed and paid for by order on Warden.

Also two other bridges on the same line ; also plank for a third at a total cost of \$97.68, which has also been paid by order on Warden.

All of which is respectfully submitted.

(Signed,)

E. MORRIS,

Reeve of Pelham.

JOHN WILSON,

Reeve of Thorold Tp.

COUNCIL CHAMBER,

Welland, Dec. 5th, 1889.

# REPORT OF LOCAL COMMITTEE ON ROADS AND BRIDGES BE- TWEEN THOROLD AND STAMFORD.

*To the Warden and Councillors of the County of Welland, in Council assembled:*

Your Local Road and Bridge Committee beg leave to submit this their report :

Your committee ordered one John Allison to repair a bridge on town line between Thorold Township and Stamford for the sum of \$4.00, and your committee would recommend payment of said amount by cheque of Warden.

(Signed,)

JOHN WILSON,

C. D. EMMETT.

COUNCIL CHAMBER,

Welland, Dec. 5th, 1889.



# REPORT OF LOCAL COMMITTEE ON ROADS AND BRIDGES BETWEEN WILLOUGHBY AND BERTIE.

*To the Warden and Councillors of the County of Welland, in Council assembled:*

Your committee beg to submit this their report :

Your committee being notified that two small bridges on town line between Willoughby and Bertie were in an unsafe condition, your committee inspected the bridges and caused one to be rebuilt and the other to be repaired by S. Beam for the sum of \$39.36, which has been paid by the Warden's cheque.

All of which is respectfully submitted.

(Signed,) M. B. BARNHARD,  
EDMUND MILLER.

COUNCIL CHAMBER,  
Welland, December 4th, 1889.

## REPORT OF SPECIAL COMMITTEE RE SALE OF DEBENTURES.

*To the Warden and Councillors of the County of Welland, in Council assembled :*

Your committee appointed to dispose of the House of Industry debentures beg leave to submit this their report :

Your committee met on July 2nd, after having advertised for tenders for four weeks.

The following tenders were received :

|                                                                                 |            |
|---------------------------------------------------------------------------------|------------|
| R. Wilson Smith, Montreal, \$1.01 1/8, or.....                                  | \$15172 79 |
| H. O'Hara, Managing Director Temperance and General Life Insurance Society..... | 15302 00   |

Your committee therefore determined to accept Mr. O'Hara's tender, it being the highest, and instructed the Clerk to notify him of the fact, and have the debentures prepared as soon as a satisfactory understanding could be arrived at.

In a letter dated the 13th July, Mr. O'Hara, however, announced that our by-law had been submitted to Blake, Lash & Cassels, who pronounced it defective in the same respects as the former one. We were therefore obliged to wait until the three months limited by statute for moving to quash it had elapsed, when it would become validated by virtue of registration, Mr. O'Hara informing us that he would be prepared to take them then.

On Sept. 13th your committee again met, the three months having then expired, and the Warden and Treasurer were authorized to sign and complete the debentures approved by Messrs. Blake, Lash & Cassels and deliver the same upon payment of principal with accrued interest with premium as specified in the tenders, that is to say:

|                        |            |
|------------------------|------------|
| Principal .....        | \$1504 00  |
| Premium .....          | 298 00     |
| Accrued interest ..... | 254 00     |
|                        | <hr/>      |
|                        | \$15565 00 |

On which basis the transaction was finally completed.

Your committee recommend the payment of the sum of \$2.50 to J. C. Page for expenses necessarily incurred in going to Toronto in connection with the disposal of said debentures.

All of which is respectfully submitted.

(Signed,) T. L. STONE,  
ERNEST CRUIKSHANK,  
J. H. BURGAR.

COUNCIL CHAMBER,  
Welland December 4th, 1889.

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#### REPORT OF SPECIAL COMMITTEE *RE* NIAGARA RIVER POLLUTION.

*To the Warden and Councillors of the County of Welland, in Council assembled:*

Your committee, appointed in the matter of the pollution of Niagara River, beg leave to submit this their report:

Your committee immediately upon the adjournment of Council in June last instructed the County Attorney to submit the facts of the case to the Attorney-General, and obtain his approval of the action of this Council in endeavoring to put an end to the nuisance complained of. In a letter dated the 17th June (marked A) the assent of the Attorney-General was obtained to such steps being taken as the County Attorney might deem proper, but suggesting the propriety of giving the municipal authorities of Buffalo and the parties committing the nuisance some formal notice that steps would be taken to have it abated.

The County Attorney was instructed to prepare a suitable form of notice, which was duly served upon Mayor Becker on the 8th of July, and on Messrs. Hingston & Woods, who were represented as being the chief offenders, on the 6th of July. A garbled account of interviews with Mr. Hingston, which appeared in certain evening papers published in Buffalo a few days later, led Messrs. Hingston & Woods to address a letter to the County Attorney, deprecating their utterances, but repudiating the charges that their employees had dumped in Canadian waters, or that the material deposited was in any way noxious, and inviting representatives of this Council to investigate the matter for themselves and offering to place facilities for so doing at their disposal. (C.)

Accordingly the County Attorney and the chairman of your committee met Mr. Hingston on the 19th July, and made a personal inspection of the material his firm were then depositing in the river, which undoubtedly was very objectionable matter at that particular time. Mr. Hingston, having then made fuller enquiries, acknowledged that he was satisfied that their servants had been to blame, treated your representatives with the greatest courtesy, and promised to exercise the utmost vigilance to prevent any repetition of the wrong and subsequently gave us a written assurance to the same effect. (D.)

Since that time but very few cases of invasion of Canadian waters have been reported, and these did not seem thoroughly capable of proof, as it is extremely difficult for a person standing on one shore to distinguish the exact position of a boat near the centre of the river.

Although your committee can scarcely venture to assert that no intrusion on Canadian waters had been made since the date of Mr.

Hingston's last letter, still they have great satisfaction in reporting that such have been of very rare occurrence. In October a case was reported, and it was deemed proper, besides notifying Messrs. Hingston & Woods, to serve a formal notice on the Buffalo Grape Sugar Works, the Buffalo Gas Light Co., the Citizens Gas Co., and George Chambers, Divisional Superintendent of the Erie Canal, as there seemed to be doubt as to the identity of the offenders, and we had information that these parties occasionally dumped into the river. We have received the annexed communication from the Buffalo Grape Sugar Works denying the charge. (E.)

The dumping still continues in American waters, the authorities of the towns below Buffalo having withdrawn their opposition on receiving an assurance that the matter placed in the river would be so deposited as to pass to westward of Strawberry Island, and so long as this is done a certain amount of objectionable matter will at certain times find its way into Canadian waters, to the possible annoyance of residents along the shore.

Your committee beg leave to express their very great satisfaction at the manner in which they have been met in this matter by Messrs. Hingston & Woods.

All of which is respectfully submitted.

(Signed) ERNEST CRUIKSHANK,  
EDMUND MILLER,  
M. B. BARNHARD.

—  
A.

JUNE 17, 1889.

*L. D. Raymond, Esq., County Crown Attorney, Welland :*

DEAR SIR,—

I am directed, in reply to your letter to the Attorney-General of June 13th, to say that the Attorney-General sanctions such steps being taken by you as County Attorney as may be proper in the

matter. It has occurred to me that it might be useful to give the municipal authorities of Buffalo and the persons actually engaged in committing the nuisance, some formal notice that steps will be taken to get the same abated.

Yours truly,

(Signed) JOHN R. CARTWRIGHT.

IN THE MATTER OF DUMPING IN THE NIAGARA RIVER.

I, Richard Griffin, of the Village of Fort Erie, policeman, make oath and say, that I did on the 6th day of July, 1889, serve notices, of which the annexed is a true copy, on Mr. Hingston, of Hingston & Woods, and on the 16th day of November on Wm. H. Almer, of the Buffalo Grape Sugar Works; A. R. Hall, of Buffalo Gas Light Co.; Peter P. Miller, of Citizens' Gas Co.; and George Chambers, Superintendent Erie Canal, and that I did also on the 8th day of July, 1889, personally serve Philip Becker, Mayor of the City of Buffalo, with a notice of similar purport.

(Signed) RICHARD GRIFFIN.

Sworn to before me at Fort Erie, }  
this 30th day of November, 1889. }

(Signed) N. FORSYTH,

A Commissioner H. C. J., County of Welland.

B.

Office of  
COUNTY CROWN ATTORNEY, }  
Welland.

Having been informed that persons in your employment have been depositing, from scows, foul and obnoxious matter into the Niagara River in Canadian territory, by which the water is rendered



unfit for domestic purposes and the health of the inhabitants of Fort Erie and the Township of Bertie residing near the river is endangered, I hereby give you notice that persons hereafter found committing the nuisance will be arrested and punished upon conviction.

Yours, etc.,

(Signed) L. D. RAYMOND,  
County Crown Attorney,  
County of Welland.

{ L. S. }

C.

LETTER FROM MESSRS. HINGSTON & WOODS.

BUFFALO, N. Y., July 10th, 1889.

*L. D. Raymond, County Crown Attorney, Welland, Ont. :*

DEAR SIR,—

We have the honor to acknowledge the receipt of your letter of the 2nd inst., and shall pay due respect to its notice.

And beg to assure you that we are men who have a conscientious regard for the rights of their neighbors; that we would not wilfully, or carelessly do an injury to anyone; that we do *not* dump *garbage* or *noxious matter* in Niagara River, our digging being clean heavy material; that we do not knowingly dump in Canadian waters, and that we are almost confident we know we are in American waters when we do dump; that we dump so far, so far from the Canadian shore, that it is folly to say we injure the domestic water supply; that we do not and have not killed any fish or destroyed any fishing ground. In explanation let us say that we strongly impress upon our men our desire and commands, that they do not dump in Canadian waters. According to all authorities the boundary line between two countries is the centre of the deepest water. Now, residents upon the banks of rivers are apt to suppose the centre of the surface of the water is the boundary, and from what they see and suppose, think that we are encroaching on their territory. The deepest water runs close to the

Canadian shore opposite Fort Erie. We are obliged to keep in that channel and to the west of the inlet pier of the Buffalo Waterworks in running the rapids. As soon as we pass the inlet pier we reach the spot designated by the United States Government, at the request of the City of Buffalo, as the dumping ground. Here we dump and swing over to the American side, following the line of the channel. We keep in American waters, and have no intention to get into Canadian waters.

Now, with respect to the times alleged when the offence occurred. In one case we had some large stone in the scow. We always dump such stone near the International piers, for the reason that the water is very deep there, about 40 or 45 feet, and the pier owners are not apt to object to any extra riprap around their foundations. We were dumping along side one pier, and the bridge employee asked the captain of the tug to move to the next one, as they were afraid he might injure some wires. He unthinkingly did so, but the material (stone) when pried out fell sheer down to the bottom of the river.

Another time, this spring, we lent one of our dumpers to the dry dock to remove chips and the accumulation of the dry dock. The material being light would not dump, therefore to wash it out of the scow the tugmen towed it up and down the river. They were not *our* men at all. And being ignorant of any objection thereto, towed up and down close to the Canadian shore.

Now, as to the amount of deleterious matter in our dredging, we claim it is next to nothing. And the only fish it ever killed must have been the fish that stayed under the dump.

When Buffalo emptied its street cleanings into Niagara River you had good cause to complain, for the unsightly and disgusting matter floated on the surface and were driven by the winds on either shore.

But we defy anyone to prove that our dredgings are different than the bed of the river; that we dump in any place where the dumpings can come within many hundred feet of the Canadian shore.

Would be much pleased to have you come to Buffalo, where we will place facilities at your disposal to investigate matters, and will

convince you that we are as much interested in keeping everything pleasant and right as you can possibly be ; and when you can see that this affair has been magnified.

We deprecate the utterances of the local press here, especially their startling headlines, which would make us as pugnacious as the hero of the day, John L. S.

Trusting to place ourselves in the right light with yourself and the good people of the County of Welland, amongst whom we number many personal friends,

We remain most respectfully,

Your obedient servants,

(Signed,) HINGSTON & WOODS.

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D.

LETTER FROM MESSRS. HINGSTON & WOODS.

BUFFALO, N. Y., July 22nd, 1889.

*E. Cruikshank, Esq., Fort Erie, Ont :*

DEAR SIR,—Allow us first of all to thank yourself, Mr. Raymond, and the residents of Fort Erie and International Bridge for the kindness and courtesy shown by you all in the manner you have approached and treated this matter of dumping in the river. And we beg to assure you that your consideration has won our regard, so that we shall feel more than ever the necessity of guarding, instead of infringing, on your rights.

We have read with surprise, mingled with shame, the numerous affidavits of respectable citizens of Fort Erie and neighborhood ; and and while allowing all due latitude for extravagance of language and for deception of sight as to distance, yet we are compelled to admit that our servants, if not ourselves, are somewhat to blame in the matter. We promise you that we shall be as vigilant and determined to prevent a repetition of the wrong as you could wish us to be.

Believe us, we have (of ourselves) always strived to prevent any infringement on your rights, or on your shores. But our servants may have been lax and may have occasionally dumped in your waters, though they did it against our imperative orders and under threats of dismissal.

Now, in explanation, let us say that perhaps we have been blamed when we were guiltless. Upon reading the affidavits we find that the tug Queen City towed an old wreck upon your shores. We had nothing whatever to do with that. The Queen City belongs to the State of New York. Another—indeed several affidavits—speak of seeing men shovelling dirt and refuse off the boats. We never do ; we dump through the bottom of the scows. The American Grape Sugar Co., the Buffalo Gas Light Co., the Citizens' Gas Light Co., the Union Dry Dock Co., and the R. Mills & Co., (Dry Dock), all borrow our and other scows, and shovel and dump light material in the river. We have ascertained beyond a doubt that R. Mills & Co., between May 18th and 25th, dumped several loads of dry dock cleanings into the river, and that as the material was principally wood it would not fall out of the pockets, and that they towed the scow back and forwards in the river near the Canadian shore in order to wash out the chips. They used our scows. The Citizens' Gas Light Co. also had a scow load of refuse which was hard to dump, and they had hard work to get rid of it by pushing down upon it with poles, etc.

The only case that we can find against our own men was once this spring ; we had a large stone that laid across the pocket and was too large to go through the doors. We fastened the scow to one of the Interntional Bridge piers while the men were working at it. Our men say the third pier from the Canada shore ; others say that it was the second pier. It is possible it was the Gas Co.'s load that was at the second pier. In any event the stone would do no harm. So you see that while we are the only firm in Buffalo engaged in dredging, there are five other concerns and the State of New York who dump in the river.

There is one other point in which we desire to be put to right. We entirely disapprove of the insolent and flippant way our local press have spoken upon the affair. They neither voice our words or

sentiments. We have nothing but the friendliness feeling to your people, amongst whom we have made warm personal friends, and no desire but to do right toward you.

Trusting you will receive this in the sincere spirit in which it is written,

We remain, most respectfully yours,

(Signed,) HINGSTON & WOODS.

BUFFALO, November 20th, 1889.

*Mr. L. D. Raymond, County Crown Attorney, County of Welland, Welland, Ontario :*

DEAR SIR,—We have made careful enquiries regarding the dumping of refuse from our works in Canadian waters, and beg to assure you that so far as we can ascertain, we have dumped nothing in the lake or river anywhere near the line dividing the waters under the jurisdiction of the United States and Canada.

We take pleasure, however, in acknowledging your courtesy in serving us with notice of your intention in this matter, and have to say that should you have any reason at any time in the future to believe that the waters under the jurisdiction of your government were contaminated by any act of ours, you will only have to call our attention to the matter in the most informal way to have it remedied.

Yours very truly,

(Signed,) THE AMERICAN GLUCOSE CO.

REPORT OF SPECIAL COMMITTEE APPOINTED TO CONFER WITH  
REPRESENTATIVES OF THE TOWN OF WELLAND RE-  
SPECTING REMOVAL OF FIRE HALL AND  
OTHER MATTERS.

*To the Warden and Councillors of the County of Welland, in Council assembled :*

Your committee appointed in the above mentioned matters, beg leave to report as follows :—

The Mayor of the said town of Welland, having called a special meeting of their Council for Friday night, December 6th, 1889, your committee met with them at their Council room at that time.



On being requested to make known, in a formal manner, the object of their presence, your committee stated that your Council considered it desirable in the interest of the County that the said building should be removed as soon as practicable, and requested them to make known the terms upon which they would consent to remove the same. The Town Council thereupon agreed to take the subject into consideration and inform your committee of their determination, which has been committed to writing by their Special Committee and is annexed hereunto.

In reference to the matter of the lock-up, referred to in resolution of Mr. Macklem, passed on January 28th, 1887, your committee presented an account for three years' rent, from 1st January, 1887, to the end of present year, being \$75. The Mayor stated that the town had accepted the terms imposed and would pass the account at their next meeting.

Your committee beg leave to acknowledge the spirit of courtesy in which they were received by the Council of the town of Welland.

Your committee are not of opinion that your Council should be required to purchase a lot for a site of the said town hall, but would respectfully recommend that this Council offer the sum of \$500 in consideration of the removal of the said building, and an engagement that the site be used for no other purpose than as a public highway.

All of which is respectfully submitted.

(Signed,) H. G. MACKLEM,  
WM. BROWN,  
ERNEST CRUIKSHANK,  
GEORGE TURNER,  
JAMES HENDERSON.

COUNCIL CHAMBER,  
Welland, December 7th, 1889.

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*To the Special Committee of County Council appointed to interview the Town Council of the Town of Welland, relative to removal of town hall :*

After your request made upon the Town Council, the said Council took into consideration the matter, and after full discussion it was considered by said Council that a sum of one thousand dollars at least would be required to purchase a lot and remove the building to same, and the undersigned are authorized to submit this proposition for the consideration of your Council.

(Signed,) D. ROSS, Mayor.  
J. H. BURGAR,  
GEO L. HOBSON.

#### REPORT OF FINANCE COMMITTEE.

*To the Warden and Councillors of the County of Welland, in Council assembled :*

Your Committee on Finance beg leave to submit this their report, and would recommend the payment of the following certified accounts :

|                                                                |         |
|----------------------------------------------------------------|---------|
| Jas. H. Ball, County School Inspector, stationery, etc. ....   | \$15 09 |
| Jas. H. Ball, for grants to Teachers' Association.....         | 50 00   |
| Rowell & Hutchinson, Harrison's Manual.....                    | 7 16    |
| Waterworks Committee, water rent, (paid) .....                 | 2 50    |
| L. D. Raymond, County Solicitor ...                            | 14 90   |
| J. C. Crow, tile for local R. & B. Committee.....              | 5 70    |
| Hart & Co., procedure book, second Division Court.....         | 6 55    |
| Geo. Cronmiller, repairing chair, &c., Registry office.....    | 1 25    |
| Wm. T. Sawle, printing and advertising.....                    | 17 50   |
| J. J. Sidey, printing and advertising .....                    | 20 99   |
| Marcus Vanderburgh, sundry repairs, Registry office.....       | 6 58    |
| Frank Rounds, plank, local R. & B. Com., Pelham & Thorold.     | 2 87    |
| Bell Telephone Co., messages .....                             | 1 05    |
| George Dell, for 140 ft. oak plank and spikes, L. R. & B. Com. | 3 05    |

Local Committee Roads and Bridges, Stamford and Niagara Falls  
South :

|                             |         |         |          |
|-----------------------------|---------|---------|----------|
| Geo. Shrimpton, 3 days..... | \$ 6 00 |         |          |
| " " 8 miles .....           | 80      | \$ 6 80 |          |
| C. D. Emmett, 2 days.....   | 4 00    |         |          |
| " " 6 miles .....           | 60      | 4 60    | \$ 11 40 |

Local Committee Roads and Bridges, Thorold and Stamford :

|                         |         |         |         |
|-------------------------|---------|---------|---------|
| John Wilson, 1 day..... | \$ 2 00 |         |         |
| " " 8 miles .....       | 80      | \$ 2 80 | \$ 2 80 |

Special Committee in *re* Pollution of Niagara River :

|                             |         |         |         |
|-----------------------------|---------|---------|---------|
| E. Cruikshank, 3 days ..... | \$ 6 00 |         |         |
| " " mileage, etc.....       | 1 50    | \$ 7 50 | \$ 7 50 |

Standing Committee's settlement of Niagara Falls accounts :

|                            |         |         |          |
|----------------------------|---------|---------|----------|
| E. Cruikshank, 2 days..... | \$ 4 00 |         |          |
| " " 36 miles .....         | 3 60    | \$ 7 60 |          |
| H. G. Macklem, 2 days..... | 4 00    |         |          |
| " " 28 miles .....         | 2 80    | 6 80    |          |
| Wm. Williams, 2 days.....  | 4 00    |         |          |
| " " 10 miles .....         | 1 00    | 5 00    | \$ 19 40 |

Special Committee *re* Disposal of Debentures :

|                            |         |         |          |
|----------------------------|---------|---------|----------|
| T. L. Stone, 3 days.....   | \$ 6 00 |         |          |
| " " 24 miles .....         | 2 40    | \$ 8 40 |          |
| E. Cruikshank, 2 days..... | 4 00    |         |          |
| " " 44 miles .....         | 4 40    | 8 40    |          |
| J. H. Bugar, 2 days.....   | 4 00    | 4 00    | \$ 20 80 |

Local Committee on Roads and Bridges, Pelham and Thorold :

|                          |         |         |          |
|--------------------------|---------|---------|----------|
| E. Morris, 3 days.....   | \$ 6 00 |         |          |
| " 10 miles .....         | 1 00    | \$ 7 00 |          |
| John Wilson, 4 days..... | 8 00    |         |          |
| " " 20 miles .....       | 2 00    | 10 00   | \$ 17 00 |

Jail Committee :

|                            |         |         |          |
|----------------------------|---------|---------|----------|
| G. L. Hobson, 4 days.....  | \$ 8 00 | \$ 8 00 |          |
| B. M. Disher, 3 days. .... | 6 00    |         |          |
| " " 54 miles.....          | 5 40    | 11 40   |          |
| Geo. Turner, 4 days .....  | 8 00    |         |          |
| " " 40 miles.....          | 4 00    | 12 00   | \$ 31 40 |

## Local Road and Bridge Committee, Willoughby and Bertie :

|                             |         |         |          |
|-----------------------------|---------|---------|----------|
| M. B. Barnhard, 3 days.. .. | \$ 6 00 |         |          |
| " " 8 miles.....            | 80      | \$ 6 80 |          |
| E. Miller, 2 days.....      | 4 00    | 4 00    | \$ 10 80 |

## Standing Committee on Roads and Bridges :

|                              |         |         |          |
|------------------------------|---------|---------|----------|
| M. B. Barnhard, 15 days..... | \$30 00 |         |          |
| " " 251 miles.....           | 25 10   | \$55 10 |          |
| C. D. Emmett, 8 days.....    | 16 00   |         |          |
| " " 128 miles.....           | 12 80   | 28 80   |          |
| Wm. Brown, 6 days.....       | 12 00   |         |          |
| " " 58 miles.....            | 5 80    | 17 80   | \$101 79 |

## House of Industry Committee :

|                             |         |         |          |
|-----------------------------|---------|---------|----------|
| J. A. Ramsden, 4 days.....  | \$ 8 00 |         |          |
| " " 56 miles. ....          | 5 60    | \$13 60 |          |
| E. Morris, 3 days.....      | 6 00    |         |          |
| " 12 miles .....            | 1 20    | 7 20    |          |
| Geo. Shrimpton, 4 days..... | 8 00    |         |          |
| " " 60 miles.....           | 6 00    | 14 00   | \$ 34 80 |

## Local Committee on Roads and Bridges, Humberstone and Bertie :

|                           |         |         |         |
|---------------------------|---------|---------|---------|
| J. A. Ramsden, 1 day..... | \$ 2 00 |         |         |
| " " 1 mile.....           | 10      | \$ 2 10 | \$ 2 10 |

Total ..... \$414 89

All of which is respectfully submitted.

(Signed) H. G. MACKLEM,  
ERNEST CRUIKSHANK,  
J. H. BURGAR,  
J. E. JONES,  
B. M. DISHER.

COUNCIL CHAMBER,  
Welland, Dec. 7th, 1889.

## REPORT OF COUNTY CLERK.

*To the Warden and Councillors of the County of Welland, in Council assembled:*

The undersigned begs to submit the following report at close of the year :

Total insurance on county buildings, \$36,000, distributed as follows :

|                                                                         |            |
|-------------------------------------------------------------------------|------------|
| British America, rate 6-10, expires 22nd June, 1892 .....               | \$ 8000 00 |
| Mercantile F. Ins. Co., rate 1 per cent., expires 25th Oct., 1892 ..... | 8000 00    |
| Lancashire Ins. Co., rate 6-10, expires 12th July, 1892...              | 6000 00    |
| Liverpool L. & G., rate 8-10, expires 9th April, 1892 ...               | 4000 00    |
| Fire Ins. Co., rate 8-10, expires 6th May, 1892.....                    | 8000 00    |
| Caledonian Ins. Co., rate 9-10, expires 20th Feb. 1890...               | 2000 00    |

|                                                                                                                  |            |
|------------------------------------------------------------------------------------------------------------------|------------|
| Total on buildings .....                                                                                         | \$36000 00 |
| Northern Assurance Co., on kitchen, \$500 ; on boiler and attachment, \$2500, rate 6-10, expires 23rd June, '92. | 3000 00    |
| British America, on library, \$500, rate $\frac{3}{4}$ , expires 11th June, 1892 .....                           | 500 00     |
| Fire Ins. Co., furniture, rate 8-10, expires 6th May, 1892 .                                                     | 1000 00    |

Total insurance.....\$40500 00

The new buildings are still insured by the contractors, as they are not yet accepted by the County.

The County Treasurer's bonds are \$5,000 in the London Guarantee, expires 1st April, 1890.

\$5,000 in Canada Guarantee Co., expires 1st December, 1890.

Licenses issued the present year :

|                    |            |
|--------------------|------------|
| John Weiss.....    | Auctioneer |
| Marshall Bros..... | Pedlar     |
| E. R. Hellems..... | Auctioneer |
| L. V. Garner.....  | "          |
| J. G. Cadham.....  | "          |
| J. R. Dowd.....    | "          |
| E. Box.....        | "          |



The balance due by me on this fund up to 1st January of present year I have not as yet paid, but hope to report settled in my next report.

All of which is respectfully submitted.

(Signed,) J. C. PAGE,  
County Clerk.

COUNCIL CHAMBER,  
Welland, Dec. 4th, 1889.

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#### REPORT OF STANDING COMMITTEE ON SALARIES.

*To the Warden and Councillors of the County of Welland, in Council assembled :*

The Standing Committee on Salaries beg leave to submit this their report :

Your committee would not recommend an increase in the salary of the Matron of Industrial Home, as they consider the combined salaries of the Keeper and Matron sufficient for their services rendered.

All of which is respectfully submitted.

(Signed) EDMUND MILLER,  
JAMES HENDERSON,  
D. C. ROLAND,  
F. SHRINER,  
H. N. WILLSON,  
E. NEFF.

COUNCIL CHAMBER,  
Welland, Dec. 6th, 1889.

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## SECOND REPORT OF COMMITTEE ON SALARIES.

By order of Council upon referring back your committee recommend that the salary of the Matron of Industrial Home be increased \$50 per year, to date from 1st of June last.

(Signed) JOHN WILSON,  
WM. WILLIAMS,  
EDMUND MILLER,  
JAMES HENDERSON,  
H. N. WILLSON,  
D. C. ROLAND,  
F. SHRINER,  
E. NEFF.

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REPORT OF SPECIAL COMMITTEE *RE* RAILWAYS.

*To the Warden and Councillors of the County of Welland, in Council assembled:*

Your Special Committee, appointed to consider the communication from the County Council of the County of Simcoe, in respect to the appointment of an independent tribunal to adjust matters between the railways and the public, beg leave to recommend that this Council concur in their petition, and that a memorial be passed to the House of Commons, as in the form proposed by them.

All of which is respectfully submitted.

(Signed,) ERNEST CRUIKSHANK,  
F. W. KRAFFT,  
WM. BROWN,  
J. H. BURGAR,  
JAMES HENDERSON.

COUNCIL CHAMBER,  
Welland, Dec. 4th, 1889.

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REPORT OF SPECIAL COMMITTEE *RE* COMMUNICATION FROM  
SENATOR McCALLUM.

*To the Warden and Councillors of the County of Welland, in Council assembled:*

GENTLEMEN,—

Your Special Committee, to whom was referred the communication from Senator McCallum *re* an Act to amend the Railway Act, beg leave to submit this their report, and would recommend that this Council concur in the proposed legislation, and that a memorial be prepared and signed by the Warden and Clerk and forwarded to Senator McCallum as requested by him.

All of which is respectfully submitted.

(Signed) H. G. MACKLEM,  
ERNEST CRUIKSHANK,  
G. L. HOBSON,  
WM. BROWN,  
M. B. BARNHARD.

COUNCIL CHAMBER,  
Welland, Dec. 4th, 1889.

REPORT OF STANDING COMMITTEE ON NIAGARA FALLS'  
ACCOUNTS.

*To the Warden and Councillors of the County of Welland, in Council assembled:*

GENTLEMEN,—

Your committee, to whom was referred the matter of the settlement of the sums payable to the County of Welland by the town of Niagara Falls under the award of the arbitrators made in that behalf on the 21st March, A. D. 1887, beg leave to submit their report for the year terminating December 31st, 1888:

Your committee met a committee appointed by the Municipal Council of the town of Niagara Falls on July 4th, 1889, and agreed that the sum to be paid to the County by the said town for the period named should be \$1,521.40, an itemized statement of which is subjoined for your information.

The award directs that the town shall contribute in the proportion of one dollar by the town, to nine dollars paid by the County, toward the support of the insane destitute. The insane destitute list having been abolished in consequence of the establishment of the House of Industry, where all of that class deserving support from the County are now maintained, it is difficult to ascertain the exact amount expended under that head. Your committee estimated the number so supported as thirty at a cost of \$2 per week, making the total expenditure for the year \$3,120, of which the committee of Niagara Falls town agreed to pay their proportion, being one-tenth or \$312. We would respectfully recommend that some means may be devised in future of ascertaining as nearly as possible the exact expenditure under this head.

Similar difficulty was experienced in adjusting the proportion of the interest account chargeable to Niagara Falls. Their committee declined to pay their proportion of the entire interest account, alleging that much of the money borrowed by the County was for purposes in which they were not interested, and the matter was finally compromised on the basis shown in the statement below :

# TOWN OF NIAGARA FALLS

IN ACCOUNT WITH

THE COUNTY OF WELLAND.

DR.

|                                                                                                                             |                      |
|-----------------------------------------------------------------------------------------------------------------------------|----------------------|
| To amount payable under Sec. 2 of award for<br>use of court house and jail for 1 year, end<br>ing Dec. 31st, 1888 . . . . . | \$ 230 45            |
| To amount payable under Sec. 39 of award for<br>use of registry office for said time . . . . .                              | 34 13                |
| To 1-10 of the following amounts :                                                                                          |                      |
| Administration of Criminal Justice . . . . .                                                                                | \$ 6596 22           |
| 5-6 of Auditor's salary . . . . .                                                                                           | 41 66                |
| Caretaker's salary . . . . .                                                                                                | 96 00                |
| Fuel and light . . . . .                                                                                                    | 779 33               |
| Insurance, nil . . . . .                                                                                                    |                      |
| Carried forward . . . . .                                                                                                   | \$ 7613 21 \$ 264 58 |

|                                           |            |           |
|-------------------------------------------|------------|-----------|
| Brought forward.....                      | \$ 7613 21 | \$ 264 58 |
| Incidental bequests ..                    | 35 00      |           |
| Interest ..                               | 532 00     |           |
| Insane and destitute ..                   | 3120 00    |           |
| Jail expenses and furnishings ..          | 1088 51    |           |
| Jail Committee expenses.....              | 240 70     |           |
| Jurors' pay.....                          | 1338 50    |           |
| Meals for jurors ..                       | 5 60       |           |
| Jurors summoning, selecting, &c. ....     | 80 00      |           |
| Jury list, checking and marking ..        | 50 00      |           |
| Messenger's salary ..                     | 48 00      |           |
| Postage and stationery.....               | 153 51     |           |
| Printing and advertising ..               | 350 77     |           |
| Registry office, repairs, books, &c. .... | 354 09     |           |
| 5-6 of Treasurer's salary.....            | 500 00     |           |
| Witnesses in criminal cases ..            | 324 25     |           |
| Special session, Oct. 23rd, 1888.....     | 64 90      |           |
|                                           | <hr/>      |           |
|                                           | \$15799 04 | 1579 90   |
|                                           |            | <hr/>     |
|                                           |            | \$1844 48 |

CR.

By 1-10 of amount received from government  
in payment of administration of Criminal  
Justice.....\$ 3230 83    323 08

By 1-10 of amount paid by registrar, nil .....

---

\$1521 40

The above mentioned sum of \$1,521.40 was accordingly duly  
paid by the said town on the 9th August.

All of which is respectfully submitted.

(Signed,) ERNEST CRUIKSHANK,  
H G. MACKLEM,  
WM. WILLIAMS

COUNCIL CHAMBER,  
Welland December 3rd, 1889.



REPORT OF SPECIAL COMMITTEE RE COMMUNICATION FROM  
CHARLES CHAMBERLAIN RELATING TO LICENSING  
STALLIONS.

*To the Warden and Councillors of the County of Welland, in Council assembled:*

Your committee are of the opinion that breeding from thoroughbred and standard stallions would greatly improve the present stock of horses and add very materially to their value and usefulness, yet they are of the opinion that it would not be judicious at the present time to impose a license fee on other horses, owing to the limited number of standard and thoroughbred stallions owned and held for service in this immediate vicinity.

All of which is respectfully submitted.

(Signed) E. MORRIS,  
J. A. RAMSDEN,  
C. D. EMMETT.

COUNCIL CHAMBER,  
Welland, Dec. 4th, 1889.

REPORT OF SPECIAL COMMITTEE RE WIDTH OF SLEIGHS.

*To the Warden and Councillors of the County of Welland, in Council assembled:*

Your committee, to whom was referred the communication of the County of Huron in regard to the width of sleigh runners, beg leave to report that we cannot recommend concurrence in the above communication.

(Signed) J. E. JONES,  
GEORGE TURNER.  
M. B. BARNHARD.

COUNCIL CHAMBER,  
Welland, Dec. 4th, 1889.

APPENDIX B.

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COMMUNICATIONS.

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FROM COUNTY OF SIMCOE.

BARRIE, June 20th, 1889.

*To the Warden and Councillors of the County of Welland, in Council assembled:*

GENTLEMEN,—

I am instructed by the County Council of the County of Simcoe to transmit you a draft of memorial, praying for the appointment of an independent body to stand between the public and the railways for the hearing and determining of all complaints relating to discriminations, rebates, drawbacks or exorbitant charges, and which by this means would be adjusted more easily than at present.

The Council earnestly request the co-operation of your Council in this matter, and suggest that the said memorial be sent to each of

the members in your county for presentation to Parliament, and that the members be requested to further the prayer of the petition to the best of their ability.

I have the honor to remain,

Yours obediently,

R. T. BANTING,

Clerk County Council, County of Simcoe.

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AN ACT TO AMEND "THE RAILWAY ACT."

Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. Notwithstanding anything in section fourteen of "The Railway Act," it shall be the duty of every railway company under the jurisdiction of the Parliament of Canada, and without any such contribution as is hereinafter referred to, to maintain and keep in repair all necessary drains, ditches, and watercourses in existence at the passing of this Act, in and for lands belonging to or held by such company.
2. Whenever the municipal council of any county, township, parish, or other municipality in Canada, either of its own motion, or on the application of any inhabitant thereof, determines that it is necessary to construct a drain or ditch for the purpose of draining lands in the municipality across the lands and railway of any railway company, such drain or ditch shall, subject to the conditions hereinafter provided, be made and maintained across the line of such railway and lands, and on equitable terms to be settled as hereinafter provided.
3. Such council, hereinafter referred to as the applicant, may serve upon the company, by leaving the same with any agent or other officer in charge of the nearest station, a notice in writing of such decision, together with a description of the lands outside the railway to be benefitted by the proposed drainage, which notice shall be accompanied by plans and specifications, prepared and certified by a civil

engineer or Dominion or Provincial land surveyor, of that part or portion of the drain or ditch to be constructed across the company's lands and railway, and with an estimate, also so prepared and certified, of the cost of constructing the said drain or ditch across its property, and if the estimated cost of such construction does not exceed the sum of eight hundred dollars, the railway company shall, after the expiration of a reasonable time, construct that part or portion of the said drain or ditch across its lands and railway of the same size and dimensions as are specified on the plans and specifications furnished as aforesaid, unless it disputes in the manner hereinafter mentioned the propriety of the proposed work, or the correctness of such notice, plan, specification or estimate, in which case the dispute shall be enquired into and finally determined in the manner hereinafter provided.

4. If neither the applicant nor the company give notice of dispute as in the next section of this Act provided for, and if the company and the applicant do not agree as to whether the railway is to be benefitted by the proposed drainage, or if benefitted, as to what contribution the applicant should pay towards the construction of the work, and if the whole cost of construction does not exceed the sum of eight hundred dollars as estimated by a civil engineer or Dominion or Provincial land surveyor as aforesaid, then the applicant may tender the railway company the sum that the applicant thinks is fair and just as its portion of the said cost of construction, and may offer to bear afterwards such proportion of the maintenance as it may think just and fair, and if the railway company does not accept the amount so tendered, or if it disputes that the offer is for the proper proportion of future maintenance, then the proportion of the cost of construction and maintenance, or of either as the case may be, that each shall pay or bear, or the question whether it shall be borne altogether by the applicant, shall be decided by arbitration, and any amount or amounts awarded by the arbitrator or arbitrators to be paid to the railway company in respect of such construction or maintenance, shall from time to time be collectable from the applicant as a judgment of a court of competent jurisdiction for the amount or amounts so awarded to the company, or if the award determines upon the proportion of the cost of construction or maintenance payable by the applicant, without mentioning the amount, then such proportion shall be recoverable before any court of competent jurisdiction, and the judgment or

award of the arbitrator or arbitrators shall have the same force and effect and be as binding and conclusive as if it had been made by arbitrators concerning the expropriation of land under "The Railway Act," and the appointment of an arbitrator or arbitrators, and the mode of procedure under this Act as to arbitration, shall be, as nearly as may be, in the same manner as provided in "The Railway Act," from section one hundred and forty-six to section one hundred and sixty-one inclusive.

5. If any dispute, other than concerning the respective proportions of contribution which are to be settled by arbitration as afore said, shall arise between the applicant and the company, either in regard to the safety or suitability of the place designated for the work or the sufficiency or correctness of any plans, specification or estimate, or the propriety of the proposed work, or the manner in which the same is to be maintained, or otherwise, the party disputing may, within thirty days after receipt of such plans, specifications or estimate, give notice in writing of the objections to the other party and to the Minister of Railways, and thereupon the Minister, or the railway committee of the Privy Council, may cause an inspection of the locality to be made by such person as he or they may appoint, and the dispute may be enquired into on the spot by such proceedings as he or they may direct, after which the railway committee may make such order in the premises as they shall deem fit and proper, which order shall finally determine such dispute.

6. Every railway company shall be subject to all general municipal regulations, not inconsistent with this Act, respecting the maintenance and repair of drains, ditches and water-courses in any county, parish, township, or other municipality in Canada through which the railway passes, unless exempted therefrom by the special Act of incorporation: Provided always, that nothing herein contained shall authorize any municipality by any rule or regulation to compel the use of the drains of the railway company for the purposes of general drainage other than is authorized by law.

7. Every notice given by the applicant shall contain a post office address within the Dominion of Canada to which notices intended for the applicant may be addressed, and any notice to be given to the



applicant shall be sufficiently given if posted by registered letter in any post office of the Dominion of Canada directed to the address so given.

8. The provisions of "The Railway Act" with respect to drainage shall continue to apply to all cases not provided for by this Act, and all provisions of "The Railway Act," not inconsistent with this Act, including those with respect to suits and penalties, shall also apply to all such cases.

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FROM L. McCALLUM *RE* RAILWAY ACT.

*To the Warden and Councillors of the County of Welland, in Council assembled :*

GENTLEMEN,—

Enclosed please find copy of a bill introduced into the Senate last session by the undersigned and passed that House without a division, but was defeated by the Railway Committee of the Commons, the railway interest opposing it.

You will see by the Railway Act that there is no law to make railways give drainage across their railway without going before the Railway Committee of the Privy Council at Ottawa.

You will see by referring to the Railway Act of 1859, Chap. 66, Sec. 122, that the Province of Quebec has what it is proposed to give to the Dominion by clause 1 of this bill.

Will you kindly get the opinion of your Council by resolution or memorial to the Parliament of Canada of the desirability of the passage of this bill at the next session of Parliament and forward the same to my address here and you will oblige,

Yours truly,

(Signed,) L. M. McCALLUM,  
Stromness,  
Ontario.

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FROM J. W. HEMMING.

WELLAND, Ont., December 6th, 1889.

*To the Warden and Councillors of the County of Welland, in Council assembled;*

GENTLEMEN,—

On behalf of the Matron I beg to ask your honorable body for increase of salary. The duties of the Matron are far more numerous than she had any idea they would be.

As this application was made in June last and too late for your honorable body to decide upon, the Matron was led to understand the grant would be considered in the December session and dated back to June 1st of this year.

Trusting, gentlemen, you will give this your favorable consideration,

Yours respectfully,

(Signed,) JNO. W. HEMMING,  
Keeper

FROM N. B. HAGAR.

ALLANBURGH, November 5th, 1889.

*To the Warden of County of Welland :*

Please pay Horace W. Hagar the amount due me for extra work on County Buildings.

(Signed,) NORVAL B. HAGAR

FROM R. F. CARTER & CO.

WELLAND, December 4th, 1889.

*To the Warden and Councillors of the County of Welland, in Council assembled :*

SIRS,—

Five years ago we had the honor of being awarded the contract for heating the County Buildings, and have reason to believe that the work has given satisfaction.

It would be of valuable interest to us (if consistent with your views) to receive from you a statement to the effect that after five years of time the work had proved to your satisfaction.

Yours very truly,

(Signed), R. F. CARTER & CO.

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FROM D. H. LENT.

WELLAND, December 3rd, 1889.

*Mr. Stone, Warden, Welland County Council:*

DEAR SIR,—

Having been appointed one of a delegation to interview the Council with the object of securing their co-operation in the work of establishing a uniform County Promotion Examination, I would respectfully ask you to name a time when you will be at liberty to receive said delegation.

I am, yours respectfully,

(Signed), D. H. LENT,  
Principal Model School.

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TELEGRAM FROM HARDWICK & WARE.

*T. L. Stone, Warden of the County of Welland:*

No. 2. Check 13. Pd.

6.—12—1889.

From Buffalo, N. Y.

Price twenty-five dollars per day. Cannot come until Monday.  
Answer if required.

(Signed), HARDWICK & WARE.

---

FROM TOWN CLERK, NIAGARA FALLS.

TOWN CLERK'S OFFICE,  
Niagara Falls, Ontario, August 8th, 1889. }

*J. C. Page, Esq., County Clerk, Welland :*

DEAR SIR,—

I enclose cheque for \$1,521.40 for County tax for one year, ending December 31st, 1888, being the amount agreed upon by the County and Town Committee at their meeting here on July 4th, 1889.

Yours truly,

(Signed,) J. ROBINSON,  
Town Clerk.

FROM DR. O'REILLY, *RE IMPROVEMENTS.*

TORONTO, 7th September, 1889.

*To the Warden of the County of Welland, Welland :*

SIR,—

You will remember that a part of our agreement with reference to the improvements to be made at the Welland jail was, that the fire hall, standing on the street near the new residence for the Jailor, should be removed.

I have just been informed by Mr. Nicholson, who inspected the jail for me the other day, that that hall was partially burnt lately and has been repaired. This would look as if that part of our agreement was not being carried out.

I shall feel obliged if you will let me know how this is.

Your obedient servant,

(Signed,) W. T. O'REILLY,  
Inspector.

FROM COUNTY HURON *RE* SLEIGHS.

COUNTY CLERK'S OFFICE,  
Goderich, October 5th, 1889. }

*J. C. Page, Esq., County Clerk, Welland P. O. :*

DEAR SIR,—

I have the honor to intimate to you that I have been instructed by the Council of the County of Huron to request the co-operation of your Council in memorializing the Legislature of Ontario to pass an act in favor of the following resolution :

“Resolved, that the Warden and Clerk, on behalf of this Council, memorialize the Legislature of Ontario to enact such legislation as will compel all sleighs to be so constructed that the runners will be of a uniform width of three feet nine inches apart from each other at the bottom ; and that at a specified time all sleighs at present in use shall be so changed as to make them conform to the before mentioned width.”

I have the honor to be,

Your obedient servant,

(Signed), PETER ADAMSON,  
County Clerk.

FROM CHAS. CHAMBERLAIN *RE* THE LICENSING OF NON-  
STANDARD STALLIONS.

LEAMINGTON, Ont., Nov. 8th, 1889.

*To all whom it may Concern :*

DEAR SIR,—In an interview with the Minister of Agriculture, when he was here attending our fall exhibition, he stated to me that there should be a permissive measure passed by the Legislature of Ontario which would enable the County Councils of this Province to require a license fee of \$100 to be paid by the owner or owners of every non-standard stallion doing public service.

He (Hon. Chas. Drury) asked me to see that the matter be brought before the County Councils in this western section, and ask



them to memorialize the Local Government, requesting that such a measure should be passed, and at the same time suggest that the money accruing from the licenses be handed over to the agricultural society of the municipality where the animal is owned. In this way the societies would be enabled to pay large prizes, which would stimulate competition and otherwise benefit the agricultural interests.

You will please take notice that the measure being asked for is permissive. The reason for making it such arises from the fact that new counties would not be able to procure horses of standard breeding, and therefore would have to use those of common breeds.

Would you be kind enough to bring this matter to the notice of your County Council at its December session, and ask that body to petition the Legislative Assembly to pass such a law. The Essex County Council asked that the municipal law be amended so as to include a clause or clauses for the above purpose.

Respectfully yours,

CHAS. CHAMBERLAIN.

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FROM DEPARTMENT OF RAILWAYS AND CANALS.

OTTAWA, August 27th, 1889.

*J. C. Page, Esq., County Clerk, Welland:*

SIR,—

In reply to your letter of the 12th inst., I am instructed to inform you that under date the 22nd inst. an order in council has been passed cancelling lease No. 7859, dated 1st August, 1885, granting to the corporation of the County of Welland the privilege of laying a pipe to draw water from the Welland Canal.

I am, sir,

Your obedient servant,

A. G. BRADLEY,  
Secretary.

APPENDIX C.

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MEMORIALS.

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*To the Honorable the House of Commons of the Dominion of Canada, in  
Parliament assembled :*

The petition of the Municipal Corporation of the County of  
Welland,

HUMBLY SHEWETH,—

That when the Royal Railway Commission was appointed in 1886, it was expected that their labors would result in some permanent scheme, by which the railway question would have been satisfactorily solved, and means found by which the people and railways might have been mutually benefited.

The Commission recommend that, as a "temporary measure," the Railway Committee of the Privy Council be a tribunal to adjust matters between the railways and the public, with power to appoint officers in each Province "to hear and determine" all complaints against railways, subject to appeal to the Privy Council Committee.

When subsequently the Railway Act was framed no power seems to have been given to the Privy Council Committee to appoint any person "to hear and determine" any question arising between the public and the railways, but only to take evidence and report same, leaving the contestants to go to Ottawa to contest their case, no matter how far they may reside from there or how small the matter in dispute might be.

The system adopted in continental countries, and particularly in Great Britain and the United States, is to appoint independent Commissions, whose sole duty it is to look after and hear and determine all questions arising between the public and railways on such questions as discriminations, rebates, drawbacks, exorbitant rates, and other matters of a like nature, and who are therefore more likely from constant practice to become thoroughly acquainted with the whole railway question, and would be better able for that reason to suggest any required change in the laws relating to railways.

The present system under the Railway Act, although intended to provide for the settlement of all these questions, seems to be quite inefficient for that purpose, that is, as concerning questions between the business public and the railways, as not a single case of the class mentioned has been brought under the notice of the Privy Council Committee, although it is well known that the same objections and difficulties still exist which existed before the Railway Act of 1888 was passed, and which failure we cannot help saying is chiefly, if not entirely, owing to the defects pointed out by the Railway Commissioners to the appointment as a permanent body of the Railway Committee of the Privy Council. These objections are stated by the Commission in the following words :

" At the same time the Commission admit that serious objections may be taken to the selection of the Railway Committee of the Privy Council as the general railway tribunal.

1.—" The members cannot leave their duties in Ottawa, and must therefore delegate to subordinates much very important work.

2.—" They hold their office by a political tenure and are liable to sudden change whereby the value of their experience is lost.



3.—“They can scarcely be regarded by the public as so absolutely removed from personal or political bias as independent members of a permanent tribunal.

4.—“They cannot possibly give their exclusive attention to their railway duties, and in taking upon themselves the duties which would necessarily devolve upon them, they would in fact be performing judicial acts.”

It will be clearly seen from the foregoing that the Commission only intended to recommend the Privy Council Committee as a “temporary measure,” but even then to have persons appointed in each Province “to hear and determine” complaints, and from the whole tenor of the report it is evident that the Commission favored an independent tribunal to adjust the more often recurring railway disputes with the public.

Since the passing of the Railway Act persons having complaints prefer to submit to injustice rather than enter into an inquiry which would likely result in more expensive proceedings than those of the usual courts of law ; this and the delays consequent on the procedure with other considerations above mentioned deter business men from making any use of the Court as at present constituted.

Your petitioners therefore pray that your honorable body will appoint such Court, Commission or person in each of the Provinces as may be necessary for the speedy and convenient hearing and determining of all matters connected with discriminations, rebates, drawbacks, exorbitant rates, and questions of that class arising between the public and the railways.

And your petitioners, as in duty bound, will ever pray.

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